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1996 Russian Federation Criminal Code

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1996 Russian Federation Criminal Code

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[FBIS Translated Text]

GENERAL PART

SECTION I. CRIMINAL LAW

CHAPTER 1. TASKS AND PRINCIPLES OF THE CRIMINAL CODE OF THE RUSSIAN FEDERATION

Article 1. Criminal legislation of the Russian Federation

1. The criminal legislation of the Russian Federation consists of the present Code. New laws which specify criminal responsibility are subject to inclusion in the present Code.

2. The present Code is based on the Constitution of the Russian Federation and the generally accepted principles and standards of international law.

Article 2. Tasks of the Criminal Code of the Russian Federation

1. The tasks of the present Code are: Protection of the rights and freedoms of man and citizen, property, public order and public safety, the environment and the constitutional order of the Russian Federation against criminal encroachments; provision of peace and safety of mankind, as well as prevention of crimes.

2. For implementation of these tasks, the present Code establishes a basis and principles of criminal responsibility, defines what actions dangerous to the individual, society or the state are deemed to be crimes, and establishes the forms of punishment and other measures of a criminal-legal character for commission of the crimes.

Article 3. Principle of legality

1. The criminal nature of an action, as well as its punishability and other criminal-legal consequences, are defined only by the present Code.

2. Application of criminal law by analogy is not permitted.

Article 4. Principles of equality of citizens under the law

Persons who have committed a crime are equal under the law and subject to criminal responsibility regardless of gender, race, nationality, language, origin, property or official position, place of residence, attitude toward religion, convictions, affiliation to public associations, as well as other circumstances.

Article 5. Principle of guilt

1. A person is subject to criminal responsibility only for those socially dangerous actions (lack of action) and ensuing socially dangerous consequences in regard to which his guilt has been established.

2. Objective responsibility, that is criminal responsibility, for inflicting harm in which no guilt has been assigned is not permitted.

Article 6. Principle of fairness

1. Punishment and other measures of a criminal-legal character applied to a person who has committed a crime must be just, i.e., they must correspond to the character and degree of social danger of the crime, the circumstances under which it was committed and the personality of the guilty party.

2. No one may be held criminally responsible twice for the same crime.

Article 7. Principle of humanism

1. The criminal legislation of the Russian Federation provides for the safety of the individual.

2. Punishments and other measures of a criminal-legal character applied to persons who have committed a crime may not have for their purpose the infliction of physical suffering or destruction of human dignity.

Article 8. Basis of criminal responsibility

The basis of criminal responsibility is the commission of an act which contains all the indicators which make up a crime, specified by the present Code.

CHAPTER 2. EFFECT OF CRIMINAL LAW IN TIME AND IN SPACE

Article 9. Effect of criminal law in time

1. Criminal nature and punishability of an action are defined by the criminal law in effect at the time this act was performed.

2. The time of commission of a crime is recognized as the time of commission of a socially dangerous action (lack of action), regardless of the time of onset of the consequences.

Article 10. Retroactive force of criminal law

1. A criminal law which eliminates the criminal nature of an action, alleviates the punishment or in some other manner improves the position of the person committing the crime has retroactive force, i.e., extends to persons who committed the corresponding act prior to implementation of such law, including to persons serving or having served punishment, but having prior conviction. A criminal law which establishes the criminal nature of an action, intensifies a punishment or in some other manner worsens the position of the person is not retroactive.

2. If a new criminal law alleviates the punishment for an action which is currently being served by the person, this punishment is subject to reduction within the limits specified by the new criminal law.

Article 11. Effect of criminal law in regard to persons committing a crime on the territory of the Russian Federation

1. A person committing a crime on the territory of the Russian Federation is subject to criminal responsibility under the present Code.

2. Crimes committed within the limits of the territorial waters or the air space of the Russian Federation are considered to have been committed on the territory of the Russian Federation. The effect of the present Code extends also to crimes committed on the continental shelf and in the exclusive economic zone of the Russian Federation.

3. A person committing a crime aboard a vessel chartered to a port in the Russian Federation which is in the open sea or in an air space outside the boundaries of the Russian Federation is subject to criminal responsibility according to the present Code, unless otherwise specified by international treaty of the Russian Federation. According to the present Code, criminal responsibility is borne also by a person committing a crime on a military vessel or military aircraft of the Russian Federation, regardless of the place of its location.

4. The question of criminal responsibility of diplomatic representatives of foreign states and other citizens which have immunity, in the case of commission of a crime on the territory of the Russian Federation, is resolved in accordance with the standards of international law.

Article 12. Effect of criminal law in regard to persons committing a crime outside the boundaries of the Russian Federation

1. Citizens of the Russian Federation and persons without citizenship who permanently reside in the Russian Federation, who have committed a crime outside the boundaries of the Russian Federation, are subject to criminal responsibility under the present Code, if the action performed by them is deemed to be a crime in the state on whose territory it was committed, and if these persons were not convicted in the foreign state. In sentencing the said persons, the punishment may not exceed the upper limit of the sanctions specified by the law of the foreign state on whose territory the crime was committed.

2. Military servicemen of military units of the Russian Federation stationed outside the boundaries of the Russian Federation bear criminal responsibility under the present Code for crimes committed on the territory of the foreign state, unless otherwise specified by international agreement of the Russian Federation.

3. Foreign citizens and persons without citizenship not permanently residing in the Russian Federation who have committed a crime outside the boundaries of the Russian Federation are subject to criminal responsibility under the present Code in cases where the crime is directed against the interests of the Russian Federation, and in cases specified by international treaty of the Russian Federation, if such persons were not sentenced in the foreign state, and are brought to criminal responsibility on the territory of the Russian Federation.

Article 13. Extradition of persons committing a crime

1. Citizens of the Russian Federation who have committed a crime on the territory of a foreign state are not subject to extradition to this state.

2. Foreign citizens and persons without citizenship who commit crimes outside the boundaries of the Russian Federation and who are located on the territory of the Russian Federation may be extradited to the foreign state for being brought to criminal responsibility or for serving punishment in accordance with international treaty of the Russian Federation.

SECTION II. CRIMES

CHAPTER 3. CONCEPT OF A CRIME AND TYPES OF CRIMES

Article 14. Concept of a crime

1. A crime is deemed to be a willfully committed socially dangerous action prohibited by the present Code under threat of penalty.

2. An action (lack of action) which, although formally containing the indications of some actions specified in the present Code, but due to its insignificance not posing a public danger, i.e., not inflicting harm and not creating threat of inflicting harm upon an individual, society or the state, is not considered to be a crime.

Article 15. Categories of crimes

1. Depending on their character and degree of social danger, actions specified in the present Code are subdivided into crimes of minor severity, crimes of moderate severity, grave crimes, and especially grave crimes.

2. Crimes of minor severity are recognized to be intentional and careless actions, for commission of which the maximal penalty provided by the present Code does not exceed 2 years of imprisonment.

3. Crimes of moderate severity are deemed to be intentional and careless actions, for commission of which the maximal penalty provided by the present Code does not exceed 5 years of imprisonment.

4. Grave crimes are deemed to be intentional and careless actions, for the commission of which the maximal penalty provided by the present Code does not exceed 10 years of imprisonment.

5. Especially grave crimes are deemed to be intentional actions, for commission of which the present Code provides punishment in the form of imprisonment for a term exceeding 10 years, or a more severe penalty.

Article 16. Repetition of crimes

1. Repetition of crimes is deemed to be the commission of two or more crimes specified by one article or part of an article of the present Code. Commission of two or more crimes specified by different articles of the present Code may be deemed repetitious in cases specified by the appropriate articles of the Special part of the present Code.

2. A crime is not deemed to be performed repetitively if for the previously committed crime the person was absolved of criminal responsibility in accordance with the procedure established by law, or if the sentence for the crime previously committed by the person was cancelled or removed.

3. In cases where repetition of crimes is specified by the present Code as a circumstance entailing stricter punishment, the crimes committed by the person are qualified according to the appropriate part of the article of the present Code, specifying punishment for repetition of crimes.

Article 17. Aggregation of crimes

1. The aggregation of crimes is deemed to be the commission of two or more crimes specified by different articles or parts of articles of the present Code, none of which the person was found guilty of. With aggregation of crimes, the person bears criminal responsibility for each committed crime according to the appropriate article or part of article of the present Code.

2. The aggregation of crimes is also deemed to be a single action (lack of action) containing indications of crimes specified by two or more articles of the present Code.

3. If the crime is specified by the general and special standards, the aggregation of crimes is absent, and criminal responsibility ensues according to the special standard.

Article 18. Recidivism of crimes

1. A recidivism of crimes is deemed to be the commission of an intentional crime by a person who has been found guilty of a previously committed intentional crime.

2. Recidivism of crimes is deemed dangerous:

a) if a person commits an intentional crime for which he is sentenced to imprisonment, if this person has previously been sentenced to imprisonment two times for an intentional crime;

b) if a person commits an intentional grave crime, if he was previously convicted of an intentional grave crime.

3. Recidivism of crimes is considered especially dangerous:

a) if the person commits an intentional crime for which he is sentenced to imprisonment, if this person was previously sentenced to imprisonment three or more times for an intentional grave crime or an intentional crime of moderate severity;

b) if the person commits an intentional grave crime who has twice previously been convicted of an intentional grave crime, or who has been found guilty of an especially grave crime;

c) if the person commits an especially grave crime who has previously been convicted of an intentional grave or especially grave crime.

4. Convictions for a crime committed by a person under 18 years of age, as well as convictions which have been removed or cleared in accordance with the procedure

specified in *Article 86* of the present Code, are not considered in recognizing recidivism of a crime.

5. Recidivism of a crime entails a stricter punishment on the grounds and within the limits specified by the present Code.

CHAPTER 4. PERSONS SUBJECT TO CRIMINAL RESPONSIBILITY

Article 19. General conditions of criminal responsibility

Only an individual of sound mind who has reached the age specified in the present Code is subject to criminal responsibility.

Article 20. Age from which criminal responsibility ensues

1. A person who has reached the age of 16 at the time of commission of the crime is subject to criminal responsibility.

2. Persons who have reached the age of 14 by the time of commission of a crime are subject to criminal responsibility for murder *(Article 105)*, intentional infliction of grave bodily harm *(Article 111)*, intentional infliction of moderately grave bodily harm *(Article 112)*, *kidnapping (Article 126)*, rape *(Article 131)*, forced actions of a sexual character *(Article 132)*, theft (Article 158), robbery (Article 161), robbery with assault (Article 162), extortion (Article 163), improper acquisition of an automobile or other transport means without the purpose of theft (Article 166), intentional destruction or damage to property under aggravating circumstances (part two of Article 167), *terrorism (Article 205), taking of hostage (Article 206), making knowingly false report of an act of terrorism (Article 207)*, hooliganism under aggravating circumstances (parts two and three of *Article 213)*, vandalism *(Article 214)*, theft or extortion of firearms, ammunition, explosive substances and explosive devices *(Article 226)*, theft or extortion of narcotic *or psychotropic substances (Article 229)*, destruction of transport vehicles or railroads *(Article 267)*.

3. If a minor has reached the age specified in parts one or two of the present article, but as a result of retardation in mental development not associated with mental disorder at the time of commission of a socially dangerous act he could not in full measure understand the actual character and social danger of his actions (inaction) or manage them, he is not subject to criminal responsibility.

Article 21. Diminished capacity

1. A person who at the time of committing a socially dangerous action was in a state of diminished capacity, i.e., could not understand the actual character and social danger of his actions (inaction) or to manage them as a result of a chronic mental disorder, temporary mental disorder, feeblemindedness or other state of mental disorder, is not subject to criminal responsibility.

2. A person who has committed a socially dangerous act specified by the criminal law while in a state of diminished capacity may be ordered by the court to undergo compulsory measures of a medical character specified by the present Code.

Article 22. Criminal responsibility of persons with mental disorder, not excluding responsibility

1. A person of sound mind who during commission of a crime, due to a mental disorder, could not in full measure understand the actual character and social danger of his actions (inaction) or to manage them, is subject to criminal responsibility.

2. A mental disorder which does not exclude responsibility is taken into consideration by the court in ordering punishment, and may serve as grounds for the appointment of compulsory measures of a medical character.

Article 23. Criminal responsibility of persons committing a crime while in a state of intoxication

A person who commits a crime in a state of intoxication caused by use of alcohol, narcotic substances or other stupefying substances is subject to criminal responsibility.

CHAPTER 5. GUILT

Article 24. Forms of guilt

1. A person who has commited an act intentionally or through negligence is deemed guilty of a crime.

2. An act performed through negligence is deemed a crime only if this is specially provided by the appropriate article of the Special part of the present Code.

Article 25. Crime committed intentionally

1. A crime committed intentionally is deemed to be an act committed with direct or indirect intent.

2. A crime is deemed to be commited with direct intent if the person recognized the social danger of his actions (inaction), foresaw the possibility or inevitability of the onset of socially dangerous consequences and desired their onset.

3. A crime is deemed to be committed with indirect intent if the person recognized the social danger of his actions (inaction), foresaw the possibility of onset of socially dangerous consquences, did not desire, but

consciously allowed these consequences to occur, or was indifferent to them.

Article 26. Crime committed through negligence

1. A crime committed through negligence is deemed to be an act performed through inattentiveness or carelessness.

2. A crime is deemed to have been committed through inattentiveness if the person foresaw the possibility of onset of socially dangerous consequences of his actions (inaction), but without sufficient grounds for this presumptuously expected the prevention of these consequences.

3. A crime is deemed to have been committed through carelessness if the person did not foresee the possibility of onset of socially dangerous consequences of his actions (inaction), although with the necessary attentiveness and circumspectness he should and could have foreseen these consequences.

Article 27. Responsibility for crime committed with two forms of guilt

If as a result of commission of an intentional crime, grave consequences ensue which under the law entail stricter punishment and which were not encompassed in the intent of the person, the criminal responsibility for such consequences ensues only if the person foresaw the possibility of their onset, but without sufficient grounds presumptuously expected their prevention, or in the case where the person did not foresee but should and could have foreseen the possibility of the onset of these consequences. On the whole, such a crime is deemed to have been committed intentionally.

Article 28. Innocent infliction of harm

1. An action is deemed to be performed innocently if the person committing it did not understand, and according to the circumstances of the matter could not understand, the social danger of his actions (inaction), or did not foresee the possibility of the onset of socially dangerous consequences, and under the circumstances of the case should not or could not have foreseen them.

2. The action is also deemed to have been performed innocently if a person who has committed it, although he foresaw the possibility of onset of socially dangerous consequences of his actions (inaction), could not prevent these consequences due to the lack of correspondence of his mental-physiological qualities to the requirements of the extremal conditions or neurological mental overloads.

Deleted: [**Article 29. Error in criminal-legal prohibition**

If a person did not recognize, and under the circumstances in the case could not recognize, that the action performed by him is prohibited by criminal law as being socially dangerous, under threat of punishment, then such action is deemed to have been committed innocently, and in view of this fact the person is not subject to criminal responsibility.

If a person did not understand that the action performed by him is prohibited by the criminal law as being socially dangerous, under threat of punishment, but by the circumstances in the case should and could have recognized this fact, such person is subject to criminal responsibility for commission of a crime through negligence in the cases specified by the appropriate articles of the Special part of the present Code.]

CHAPTER 6. UNFINISHED CRIME

Article 29. Completed and unfinished crime

1. A crime is deemed to be completed if the action performed by the person contains all the indicators of the complement of a crime specified in the present Code.

2. An unfinished crime is deemed to be the preparation for the crime and the attempted crime.

3. Criminal responsibility for an unfinished crime ensues according to the article of the present Code which provides for responsibility for a completed crime, but with reference to *Article 30* of the present Code.

Article 30. Preparation for a crime and attempted crime

1. Preparation for a crime is deemed to be the seeking, manufacture and adaptation by a person of means or weapons for committing a crime; seeking coparticipants in the crime; making agreement to commit the crime or other intentional creation of conditions for committing the crime, if in this case the crime was not brought to its conclusion for circumstances not depending on this person.

2. Criminal responsibility ensues for preparation only for grave and especially grave crimes.

3. Attempted crimes are deemed to be intentional actions (inaction) of a person directly aimed at committing a crime, if in this case the crime was not brought to conclusion for circumstances not depending on this person.

Article 31. Voluntary rejection of crime

1. Voluntary rejection of a crime is deemed to be an individual's cessation in making preparation for the crime or the cessation of the actions (lack of action) directly aimed at committing the crime, if the person

recognized the possibility of bringing the crime to conclusion.

2. A person is not subject to criminal responsibility for a crime if he has voluntarily and ultimately rejected bringing this crime to its conclusion.

3. A person who has voluntarily rejected bringing the crime to conclusion is subject to criminal responsibility if the action actually performed by him contains some other complement of a crime.

4. The organizer of a crime and the instigator of the crime are not subject to criminal responsibility if these persons, in a timely manner, reported to the organs of authority or by other undertaken measures prevented the crime from being brought to its conclusion by its perpetrator. An accomplice in a crime is not subject to criminal responsibility if he has undertaken all measures depending on him to prevent the commission of the crime.

5. If the actions of the organizer or instigator specified in part four of the present article have not led to the prevention of commission of the crime by the perpetrator, the measures undertaken by them may be viewed by the court as mitigating circumstances in assigning punishment.

CHAPTER 7. CO-PARTICIPATION IN A CRIME

Article 32. Concept of co-participation in crime

Co-participation in a crime is deemed to be the intentional joint participation of two or more persons in commission of an intentional crime.

Article 33. Types of co-participants in a crime

1. Co-participants in a crime, along with the perpetrator, are deemed to be the organizer, instigator and accomplice.

2. The perpetrator is deemed to be the person who directly commits the crime or directly participates in its commission together with other persons (co-perpetrators), as well as a person who commits a crime by means of using other persons who are not subject to criminal responsibility due to their age, dimished capacity or other circumstances specified in the present Code.

3. The organizer is deemed to be the person who organizes the commission of the crime or oversees its fulfillment, and likewise a person who creates an organized group or criminal association *(criminal organization)*, or who manages them.

4. An instigator is deemed to be a person who inclines another person toward commission of the crime by means of persuasion, bribery, threat or other means.

5. An accomplice is deemed to be a person who aids in commission of the crime by means of advice, instructions, presentation of information, funds or tools for commission of the crime, or by removal of obstacles, as well as a person who has promised ahead of time to conceal a criminal, means or tool of commission of the crime, traces of the crime or objects acquired by criminal means, and likewise a person who has promised ahead of time to acquire or sell such objects.

Article 34. Responsibility of co-participants in a crime

1. Responsibility of co-participants in a crime is determined by the character and degree of actual participation of each of them in commission of the crime.

2. The co-perpetrators are answerable under the article of the Special part of the present Code for a crime committed by them jointly, without reference to Article 34 of the present Code.

3. The criminal responsibility of the organizer, instigator and accomplice ensues under the article which provides punishment for the committed crime, with reference to Article 34 of the present Code, with the exception of cases when they were at the same time also co-perpetrators of the crime.

4. A person who is not the subject of a crime specially indicated in the appropriate article of the Special Part of the present Code, who participates in commission of a crime specified in this article, bears criminal responsibility for the given crime in the capacity of its organizer, instigator or accomplice.

5. If the perpetrator of a crime does not bring it to conclusion for circumstances beyond his control, the remaining co-participants bear criminal responsibility for preparation for the crime or for the attempted crime. The person who for circumstances beyond his control was not able to incline other persons toward commission of a crime also bears criminal responsibility for preparation for a crime.

Article 35. Commission of a crime by a group of persons, a group of persons by preliminary agreement, an organized group or a criminal association *(criminal organization)*

1. A crime is deemed to have been committed by a group of persons if two or more perpetrators jointly participated in its commission.

2. A crime is deemed to have been committed by a group of persons by preliminary agreement if the persons participating in it agreed ahead of time on joint commission of the crime.

3. A crime is deemed to have been committed by an organized group if it was committed by a permanent group of persons who united ahead of time for the purpose of committing one or several crimes.

4. A crime is deemed to have been committed by a criminal association *(criminal organization)* if it is committed by a cohesive organized group (organization) created for the purpose of committing grave or especially grave crimes, *or by an association of organized groups created for the same purposes.*

5. A person who has created an organized group or criminal association *(criminal organization)* or who manages such is subject to criminal responsibility for their organization and management in the cases specified by the appropriate articles of the Special part of the present Code, and also for all crimes committed by the organized group or criminal association *(criminal organization),* if they were included in its intent. Other participants in an organized group or criminal association *(criminal organization)* bear criminal responsibility for participation in them in the cases specified by the appropriate articles of the Special part of the present Code, as well as for crimes in whose preparation or commission they participated.

6. Creation of an organized group in cases not specified by the articles of the Special part of the present Code entails criminal responsibility for preparation for those crimes for whose commission such group was created.

7. Commission of a crime by a group of persons, a group of persons by preliminary agreement, an organized group or a criminal association *(criminal organization)* entails stricter punishment on the basis of and within the limits established by the present Code.

Article 36. Excess of perpetrator of a crime

An excess of a perpetrator is deemed to be the commission of a crime by the perpetrator which is not included in the intent of the other co-participants. Other co-participants in a crime are not subject to criminal responsibility for the excess of the perpetrator.

CHAPTER 8. CIRCUMSTANCES EXCLUDING CRIMINAL NATURE OF ACTION

Article 37. Necessary defense

1. The infliction of harm upon an attacking person in the state of necessary defense, i.e., in defending the individual and rights of the person protecting himself or other persons, lawfully protected interests of society or the state against socially dangerous encroachment, is not considered a crime, if the limits of necessary defense are not exceeded.

2. All persons have the right to necessary defense in equal measure, regardless of their professional or other special training and official position. This right belongs to a person regardless of the capacity to avoid a socially dangerous encroachment or to turn for help to other persons or organs of authority.

3. Intentional actions which clearly do not correspond to the character and degree of social danger of the encroachment are considered to be exceeding the boundaries of necessary defense.

Article 38. Infliction of harm during detainment of a person who has committed a crime

1. Infliction of harm upon a person who has committed a crime, in the course of his detainment for the purpose of being brought to the organs of authority and elimination of the possibility of his committing new crimes, is not deemed a crime if it was impossible to detain such person by any other means and if necessary measures were not exceeded.

2. Exceeding measures necessary for detainment of a person committing a crime is deemed to be the clear lack of correspondence of these measures to the character and degree of the social danger of the crime committed by the person being detained and the circumstances of detainment, when a person is needlessly subjected to clearly excessive harm which is not warranted by the situation. Such excess entails criminal responsibility only in cases of intentional infliction of harm.

Article 39. Extreme necessity

1. The infliction of harm upon the interests protected by criminal law in the state of extreme necessity is not considered a crime, i.e., for the purpose of eliminating danger directly threatening the person and rights of a given individual or other individuals, the lawfully protected interests of society or the state, if this danger could not be averted by other means, and if the limits of extreme necessity were not exceeded.

2. Exceeding the limits of extreme necessity is deemed to be the infliction of harm clearly not corresponding to the character and degree of the threatening danger and the circumstances under which the danger was eliminated, when harm equal to or more significant than the one prevented was inflicted upon the indicated interests. Such excess entails criminal responsibility only in cases of intentional infliction of harm.

Article 40. Physical or mental compulsion

1. The infliction of harm upon interests protected by criminal law as a result of physical compulsion is not considered a crime, if as a result of such compulsion the person could not control his actions (inaction).

2. The question of criminal responsibility for infliction of harm upon interests protected by criminal law as a result of mental compulsion, and likewise as a result of physical compulsion, as a result of which the person has retained the possibility of controlling his actions, is resolved with consideration of the principles in *Article 39* of the present Code.

Article 41. Justifiable risk

1. The infliction of harm upon interests protected by criminal law in case of justifiable risk for achieving a socially beneficial goal is not considered a crime.

2. Risk is considered justifiable if the said goal could not have been achieved by actions (lack of action) not associated with the risk, and the person taking the risk undertook sufficient measures to prevent harm to the interests protected by criminal law.

3. Risk is not considered justifiable if it is knowingly associated with threat to the life of many people, with threat of ecological catastrophe or social calamity.

Article 42. Fulfillment of order or directive

1. The infliction of harm upon interests protected by criminal law by a person acting in fulfillment of mandatory orders or directives is not considered a crime. Criminal responsibility for infliction of such harm is borne by the person issuing the unlawful order or directive.

2. A person who commits an intentional crime in fulfillment of a knowingly unlawful order or directive bears criminal responsibility on general principles. *Nonfulfillment of knowingly unlawful orders or directives excludes criminal responsibility.*

SECTION III. PUNISHMENT

CHAPTER 9. CONCEPT AND GOALS OF PUNISHMENT. TYPES OF PUNISHMENT

Article 43. Concept and goals of punishment

1. Punishment is a measure of state compulsion, imposed by sentence of the court. Punishment is imposed upon a person found guilty of committing a crime, and consists of the deprivation or limitation of the rights and freedoms of this person as specified by the present Code.

2. Punishment is applied for purposes of restoring social justice, and also for purposes of correcting the convicted person and preventing commission of new crimes.

Article 44. Types of punishment

Types of punishment are:

a) fine;

b) deprivation of the right to hold certain official positions or to engage in certain activity;

c) deprivation of special, military or honorary title, class rank and state awards;

d) compulsory work;

e) correctional work;

f) limitation of military service;

g) confiscation of property;

h) limitation of freedom;

i) arrest;

j) maintenance in a disciplinary military unit;

k) imprisonment for a specified term;

l) life imprisonment;

m) death penalty.

Article 45. Basic and supplemental types of punishment

1. Compulsory work, correctional work, limitation of military service, limitation of freedom, arrest, maintenance in a disciplinary military unit, imprisonment for a specified period, life imprisonment, and the death penalty are applied only as basic types of punishment.

2. Fines and deprivation of the right to hold certain official positions or to engage in certain activity are applied as basic as well as supplemental types of punishment.

3. Deprivation of special, military or honorary title, class rank and state awards, as well as confiscation of property are applied only as supplemental types of punishment.

Article 46. Fines

1. A fine is a monetary penalty imposed within the limits specified by the present Code, in an amount corresponding to a certain number of minimal labor wages established by the legislation of the Russian Federation at the moment of imposition of the punishment, or in an amount corresponding to a portion of the labor wage or other income of the convicted person *for a specified period.*

2. A fine is established in the amount of from 25 to 1,000 times the minimal amount of the labor wage, or

in an amount of the labor wage or other income of the convicted person for a period of from 2 weeks to 1 year.

3. The amount of the fine is determined by the court, with consideration of the severity of the crime committed and also with consideration of the property position of the convicted person.

4. A fine as a supplemental form of punishment may be imposed only in cases specified by the appropriate articles of the Special Part of the present Code.

5. In the case of malicious evasion of payment of a fine, it is replaced by compulsory work, correctional work or arrest, in accordance with the amount of the stipulated fine *and within the limits specified by the present Code for these types of punishments.*

Article 47. Deprivation of the right to hold certain official positions or to engage in certain activity

1. Deprivation of the right to hold certain positions or to engage in certain activity consists of a prohibition to hold official positions in state service, in the organs of local self-government, or to engage in certain professional or other activity.

2. Deprivation of the right to hold certain official positions or to engage in certain activity is established for a term of from 1 to 5 years as the basic form of punishment, and for a term of from 6 months to 3 years as a supplemental form of punishment.

3. Deprivation of the right to hold certain official positions or to engage in certain activity may be stipulated as an additional type of punishment also in cases when it is not provided by the appropriate article of the Special part of the present Code as a punishment for an appropriate crime, if with consideration of the character and degree of social danger of the committed crime and the personality of the guilty party the court deems it impossible to preserve for him the right to occupy certain official positions or to engage in certain activity.

4. In case of imposition of this form of punishment as supplemental to compulsory work, correctional work, as well as in conditional conviction, its term is computed from the moment the court sentence goes into legal effect. In case of imposition of deprivation of the right to hold certain official positions or to engage in certain activity as an additional form of punishment to limitation of freedom, arrest, confinement in a disciplinary military unit, or deprivation of freedom, it extends to the entire time of serving the indicated basic forms of punishment, but at the same time its term is computed from the moment of their completion.

Article 48. Deprivation of special, military or honorary title, class rank and state awards

Upon being convicted for committing a grave or especially grave crime, with consideration of the personality of the guilty party, the court may deprive him of a special, military or honorary title, as well as of class rank and state awards.

Article 49. Compulsory work

1. Compulsory work consists of the fulfillment by the convicted person, in the time which he has free from his basic work or study, uncompensated socially benefited work, the type of which is determined by the organs of local self-government.

2. Compulsory work is imposed for a term of from 60 to 240 hours, and is served at a rate of no more than 4 hours a day.

3. In case of malicious evasion of the convicted person from performing the compulsory work, it is replaced by limitation of freedom or arrest. Moreover, the time during which the convicted person performed the compulsory work is taken into consideration in determining the term of limitation of freedom or arrest, figuring one day of limitation of freedom or arrest for 8 hours of compulsory work.

4. Compulsory work is not imposed upon persons who are recognized to be invalids of the first or second group, pregnant women, women with children under 8 years of age, women who have reached the age of 55, men who have reached the age of 60, or military servicemen who have been called up to active military duty.

Article 50. Correctional work

1. Correctional work is imposed for a term of from 2 months to 2 years, and is served at the place of work of the convicted person.

2. Witholdings are made from the earnings of the convicted person sentenced to correctional work, and credited to the state income in an amount determined by court sentence, within the limits of from 5 to 20 percent.

3. In case of malicious evasion of serving punishment by a person sentenced to correctional work, the court may replace the unserved portion of the punishment with limitation of freedom, arrest or deprivation of freedom, figuring one day of limitation of freedom for one day of correctional work, one day of arrest for 2 days of correctional work, or 1 day of imprisonment for three days of correctional work.

Article 51. Limitation of military service

1. Limitation of military service is imposed upon convicted military servicemen performing military service under contract, for a term of from 3 months to 2 years in the cases specified by the appropriate articles of the Special part of the present Code, for commission of crimes against the military service, as well as upon convicted military servicemen performing military service under contract, instead of the correctional work specified by the appropriate articles of the Special section of the present Code.

2. Witholdings are made from the monetary support of the person sentenced to limitation of military service, payable to the state, in the amount specified by court sentence, but not to exceed 20 percent. While serving this punishment, the convicted person may not receive a raise in official duty or military rank, and the term of the penalty is not counted toward the term of service applicable toward earning the next military rank.

Article 52. Confiscation of property

1. Confiscation of property is the compulsory uncompensated removal to ownership of the state of all or part of the property owned by the convicted person.

2. Confiscation of property is imposed for grave and especially grave crimes committed from mercenary motives, and may be imposed by the court only in cases specified by the appropriate articles of the Special part of the present Code.

3. Property which is necessary to the convicted person or to persons who are his dependents, according to the list specified in the criminal-executive legislation of the Russian Federation, is not subject to confiscation.

Article 53. Limitation of freedom

1. Limitation of freedom consists of confining the convicted person, who at the moment of sentencing by the court has reached the age of 18 years, in a special institution without isolation from society under conditions of supervision over him.

2. Limitation of freedom is imposed:

a) on persons convicted of committing intentional crimes but not having prior conviction—for a term of from 1 to 3 years;

b) on persons convicted of crimes committed through negligence—for a term of from 1 to 5 years.

3. If compulsory work or correctional work is replaced with limitation of freedom, it may be imposed for a term of no less than one year.

4. In the case of malicious evasion of serving the punishment by a person sentenced to limitation of freedom, it is replaced by imprisonment for the term of limitation of freedom imposed by the court sentence. Moreover, the time of serving the sentence of limitation of freedom is counted toward the term of imprisonment, figuring one day of imprisonment for one day of limitation of freedom.

5. Limitation of freedom is not imposed upon persons who are known to be invalids of groups one or two, pregnant women, women having children under 8 years of age, women who have reached the age of 55, men who have reached the age of 60, as well as military servicemen who have been drafted into active service.

Article 54. Arrest

1. Arrest consists of maintaining the convicted person under conditions of strict isolation from society and is imposed for a term of from 1 to 6 months. In case of imposition of arrest instead of compulsory work, [or with malicious evasion of serving the sentence by a person sentenced to arrest,] *or correctionsl work*, it may be imposed for a term of less than 1 month.

2. Arrest is not imposed upon persons who have not reached the age of 16 by the moment of court sentencing, nor upon pregnant women and women having children under 8 years of age.

3. Military servicemen serve their time of arrest in the guard-house.

Article 55. Confinement in a disciplinary military unit

1. Confinement in a disciplinary military unit is imposed upon military servicemen drafted into military service, as well as military servicemen who are serving under contract in the capacities of the rank-and-file and sergeant's complement, if at the moment of court sentencing they had not served the lawfully established term of service under conscription. This punishment is imposed for a term of from 3 months to 2 years in the cases specified by the corresponding articles of the Special part of the present Code for commission of crimes against the military service, and also in cases when the character of the crime and the personality of the guilty party testify to the possibility of replacing imprisonment for a term of no more than 2 years with confinement of the convicted person in a disciplinary military unit for the same term.

2. In case of confinement in a disciplinary military unit instead of imprisonment, the confinement in the disciplinary military unit is determined figuring one day of imprisonment for one day of confinement in the disciplinary military unit.

Article 56. Imprisonment for a definite term

1. Imprisonment consists of isolation of the convicted person from society by means of sending him to a settlement colony or placing him in a correctional colony of general, strict or very strict regimen, or in jail. Persons sentenced to imprisonment who have not reached the age of 18 by the moment of sentencing by the court are placed in educational colonies of general or intensive regimen.

2. Imprisonment is imposed for a term of from 6 months to 20 years.

3. If correctional work or limitation of freedom is replaced with imprisonment, it may be imposed for a term of less than 6 months.

4. In the case of partial or full addition of terms of imprisonment in imposing sentence for a totality of crimes, the maximal term of imprisonment may not exceed *25 years,* and by aggregation of sentences—no more than *30 years.*

Article 57. Life imprisonment

1. Life imprisonment is established only as an alternative to the death penalty for commission of especially dangerous crimes infringing upon life, and may be imposed in cases when the court deems it possible not to apply the death penalty.

2. Life imprisonment is not imposed upon women, nor upon persons who committed a crime prior to reaching the age of 18, nor upon men who had reached the age of 65 by the time of sentencing.

Article 58. Assignment of type of correctional institution for persons sentenced to imprisonment

1. Serving the sentence of imprisonment is imposed upon:

a) persons convicted of crimes committed through negligence, to imprisonment for a term of no more than 5 years—in settlement colonies;

b) persons convicted for the first time to imprisonment for committing intentional crimes of minor or moderate severity and grave crimes, as well as persons convicted for crimes committed through negligence, to imprisonment for a term of over 5 years—in general regimen correctional colonies;

c) persons convicted for the first time to imprisonment for committing especially grave crimes, as well as in repeat offenses, if the convicted person previously served imprisonment, and women in case of especially dangerous repeat offenses—in correctional colonies of strict regimen;

d) in the case of an especially dangerous repeat offense, as well as for persons sentenced to life imprisonment—in correctional colonies of special regimen.

2. Persons sentenced to a term of over 5 years for commission of especially grave crimes, as well as in the case of especially dangerous repeat offenses, may be assigned to serve part of their term of punishment in prison.

3. Change of the type of correctional institution appointed in the sentence may be performed by the judge in accordance with the criminal-executive legislation of the Russian Federation.

Article 59. Death penalty

1. The death penalty as an exceptional measure of punishment may be established only for especially grave crimes which are life threatening.

2. The death penalty is not imposed upon women, nor upon persons who committed the crime prior to 18 years of age, nor upon men who had reached the age of 65 at the time of sentencing.

3. As an amnesty, the death penalty may be replaced with life imprisonment or imprisonment for a term of 25 years.

CHAPTER 10. IMPOSITION OF PENALTY

Article 60. General principles of imposition of penalty

1. A person found guilty of committing a crime is given a fair penalty within the limits specified by the appropriate article of the Special part of the present Code, and with consideration of the principles of the General part of the present Code. A more strict form of penalty from among those specified for the committed crime is imposed only in the case if the less strict form of punishment is unable to ensure attainment of the goals of the punishment.

2. A more strict form of punishment than that provided by the appropriate articles of the Special part of the present Code for the committed crime may be assigned for an aggregation of crimes and for an aggregation of sentences in accordance with *Articles 69 and 70* of the present Code. Grounds for imposition of a milder penalty than that provided by the corresponding article of the Special part of the present Code for the committed crime are defined in *Article 64* of the present Code.

3. In imposition of the penalty, consideration is given to the character and degree of social danger of the crime and the personality of the guilty party, including circumstances which mitigate or aggravate the punishment, as

well as the effect of the imposed penalty on the rehabilitation of the convicted person and on the living conditions of his family.

Article 61. Circumstances mitigating penalty

1. Mitigating circumstances are recognized to be:

a) first-time commission of a crime of small severity as a result of an accidental confluence of circumstances;

b) minor age of the guilty party;

c) pregnancy;

d) if the guilty party has minor children;

e) commission of the crime due to the confluence of grave life circumstances or by motive of sympathy;

f) commission of the crime as a result of physical or mental compulsion or due to material, official or other dependence;

g) commission of the crime in violation of conditions of lawfulness of necessary defense, detainment of a person who has committed a crime, extreme necessity, justifiable risk, fulfillment of an order or directive;

h) illegality or amorality of behavior of the victim, which served as the reason for the crime;

i) appearance with acknowledgement of guilt, active assistance in exposing a crime, identifying other coparticipants in the crime and search for property acquired as a result of the crime;

j) provision of medical and other aid to the victim immediately after commission of the crime; voluntary compensation of property loss and moral damages inflicted as a result of the crime, other actions directed at smoothing over the harm inflicted upon the victim.

2. Circumstances which are not specified in part one of the present article may also be taken into consideration as mitigating in imposing the penalty.

3. If a mitigating circumstance is specified by the appropriate article of the Special section of the present Code as being an indicator of a crime, it cannot again in itself be considered in imposition of the penalty.

Article 62. Imposition of penalty under mitigating circumstances

In the presence of the mitigating circumstances specified by points "i" and "k" of *Article 61* of the present Code, and in the absence of aggravating circumstances, the term or amount of the penalty may not exceed three-fourths of the maximal term or amount of the strictest form of penalty specified by the appropriate article of the Special part of the present Code.

Article 63. Circumstances aggravating penalty

1. Aggravating circumstances are deemed to be:

a) recurrence of crimes, repeat crimes;

b) onset of grave consequences as a result of commission of the crime;

c) commission of the crime within the complement of a group of persons, a group of persons by preliminary agreement, an organized group or criminal association *(criminal organization);*

d) especially active role in commission of the crime;

e) involvement of persons in commission of the crime who suffer from *grave* mental disorders or are in a state of stupefication, as well as persons who have not reached the age at which criminal responsibility ensues;

f) commission of a crime by motive of national, racial or religious hatred or enmity, out of revenge for lawful actions of other persons, [sadism,] as well as for the purpose of concealing another crime or facilitating its commission;

g) commission of a crime in regard to a person or his near ones in connection with performance of official duty by the said person, or fulfillment of social debt;

h) commission of a crime in regard to a woman known by the guilty party to be pregnant, as well as in regard to a minor, other defenseless or helpless person, or person who is in a state of dependence on the guilty party;

i) commission of a crime with particular cruelty, *sadism*, humiliation, as well as torture of the victim;

j) commission of a crime with the use of firearms, munitions, explosive substances, *explosive or explosive-simulating devices, specially prepared technical means, toxic and radioactive substances, medicinal and other chemical-pharmacological preparations*, as well as with the application of physical or mental compulsion;

k) commission of a crime under conditions of a state of emergency, natural or other social disaster, as well as during mass unrest;

l) commission of a crime utilizing the trust placed in the guilty party by virtue of his official position or agreement.

m) commission of a crime with the use of the uniform clothing or documents of an officer of authority.

2. If the aggravating circumstance is specified by the appropriate article of the Special part of the present Code as an indication of a crime, it cannot in itself again be considered in imposition of penalty.

Article 64. Imposition of milder penalty than that specified for the given crime.

1. In the presence of exceptional circumstances associated with purposes and motives of the crime, the role of the guilty party, his behavior during the time of or after commission of the crime, and other circumstances which significantly diminish the degree of social danger of the crime, and likewise with the active aid of a participant of a group crime in exposing this crime, the penalty imposed may be lower than the lowest limit specified by the appropriate article of the Special part of the present Code, or the court may appoint a milder form of punishment than that specified by this article, or not apply an additional form of punishment specified as mandatory.

2. Individual mitigating circumstances, as well as the sum total of such circumstances, may be considered to be exclusive.

Article 65. Imposition of penalty with verdict of sworn assessors on leniency

1. The term and amount of a penalty for a person recognized by the sworn assessor to be guilty of committing the crime, but deserving leniency, may not exceed [half] *two-thirds* of the maximal term or amount of the strictest form of punishment specified for the committed crime. If the appropriate article of the Special part of the present Code provides for the death penalty *or life imprisonment*, these types of punishment are not applied.

2. Punishment of a person recognized by the sworn asseseor as being guilty of committing a crime but deserving particular leniency is imposed according to the rules on imposition of a milder punishment than that provided for committing the given crime, in accordance with *Article 64* of the present Code.

3. In imposition of punishment by aggregation of crimes in cases specified by parts one or two of the present article, the type, term or amount of the penalty is determined by the rules specified in *Article 69* of the present Code.

4. In imposition of penalty upon a person recognized by the sworn assessor as being guilty of committing a crime, but deserving leniency, mitigating and aggravating circumstances specified in *Articles 61 and 63* of the present Code are taken into consideration. In imposition of punishment upon a person recognized by the sworn assessor as being guilty of committing a crime, but deserving special leniency, mitigating circumstances specified in *Article 61* of the present Code are taken into consideration.

Article 66. Imposition of penalty for unfinished crime

1. In imposing penalty for an unfinished crime, circumstances due to which the crime was not brought to completion are taken into consideration.

2. The term or amount of the punishment for preparing for a crime may not exceed half of the maximal term or amount of the strictest form of punishment specified by the appropriate article of the Special part of the Present Code for a completed crime.

3. The term or amount of the punishment for an attempted crime may not exceed three-fourths of the maximal term or amount of the strictest form of punishment specified by the appropriate article of the Special part of the present Code for a completed crime.

4. The death penalty and life imprisonment are not imposed for making preparations for a crime or for an attempted crime.

Article 67. Imposition of penalty for crime committed as co-participant

1. In imposing penalty for a crime committed as co-participant, the character and degree of the person's actual participation in the commission of the crime are taken into consideration, the significance of this participation for attaining the goal of the crime, and its effect on the character and amount of the inflicted or possible harm.

2. Mitigating or aggravating circumstances relating to the personality of one of the co-participants are taken into consideration in imposition of a penalty only upon this co-participant.

Article 68. Imposition of penalty for recidivism

1. In imposing penalty in the case of recidivism [(repeat offense)], dangerous recidivism or especially dangerous recidivism of crimes, consideration is given to the number, character and degree of social danger of the previously committed crimes, the circumstances due to which the correctional effect of the previous punishment proved insufficient, as well as the character and degree of social danger of the newly committed crimes.

2. The term of punishment in a repeat offense may not be less than half of the maximal term of the strictest form of punishment specified for the committed crime; in the case of a dangerous repeat offense—no less than two-thirds, and in the case of an especially dangerous repeat offense—no less than three-fourths of the maximal term of the strictest form of punishment specified for the committed crime.

3. If an article (part of an article) of the Special part of the present Code contains indication of conviction of *a person who has committed a crime as a qualifying indicator, and likewise* in the presence of exceptional circumstances specified by *Article 64* of the present Code, the punishment in a repeat offense, a dangerous repeat offense, or an especially dangerous repeat offense is imposed without consideration for the [limitations of the term of punishment] *rules* specified by part two of the present article.

Article 69. Imposition of penalty for aggregation of crimes

1. With aggregation of crimes, the penalty is imposed separately for each committed crime.

2. If the crimes committed in aggregation are only crimes of minor severity, the final punishment is imposed by means of absorption of the less strict punishment by the stricter one, or by means of partial or total combination of the penalties. In this case, the final penalty may not exceed the maximal term or amount of the penalty specified for the most severe of the committed crimes.

3. If the crimes committed in aggregation are only crimes of moderate severity, severe or especially severe crimes, then the final penalty is imposed by means of partial or total combination of the penalties. In this case, the final penalty in the form of imprisonment may not be more than *25 years.*

4. In the case of aggregation of crimes, supplemental types of punishment may be added on to the basic penalties. The final supplemental penalty with partial or full combination of penalties may not exceed the maximal term or amount specified for the given types of penalty by the General section of the present Code.

5. The penalty is imposed according to the same rules, if after sentencing by the court in the case it is determined that the convicted person is guilty of another crime, committed by him prior to court sentencing in the first case. In this case, the penalty served under the first court sentence is counted toward the final penalty.

Article 70. Imposition of penalty on aggregation of sentences

1. In imposition of penalty with aggregation of sentences *to punishment imposed under the latest court sentence,* the unserved portion of the punishment under the preceding court sentence is added, partially or fully, onto the court sentence imposed in the latest case.

2. The final penalty by aggregation of sentences, if it is less severe than imprisonment, may not exceed the maximal term or amount specified for the given type of punishment by the General section of the present Code.

3. Final punishment by aggregation of sentences in the form of imprisonment may not exceed *30 years.*

4. Final punishment by aggregation of sentences must be more than the penalty imposed for the newly committed crime, as well as than the unserved portion of the penalty under the previous court sentence.

5. Adding supplemental types of punishments in imposition of penalty by aggregation of sentences is performed according to the rules specified in part four, *Article 69* of the present Code.

Article 71. Order of determining terms of punishment in aggregation of penalties

1. With partial or total combination of penalties by aggregation of crimes and aggregation of sentences, one day of imprisonment corresponds to:

a) one day of arrest or confinement in a disciplinary military unit;

b) two days of limitation of freedom;

c) three days of correctional work or limitation of military service;

d) 8 hours of compulsory work.

2. Fine or deprivation of the right to hold certain official positions or to engage in certain activity, deprivation of special, military or honorary title, class rank and state awards, as well as confiscation of property, in combination of these penalties with limitation of freedom, arrest, confinement in a disciplinary military unit, or imprisonment are carried out independently.

Article 72. Computation of terms of punishment and crediting punishment

1. Terms of deprivation of the right to hold certain official positions or to engage in certain activity, correctional work, limitation of military service, limitation of freedom, arrest, confinement in a disciplinary military unit, and imprisonment are computed in months and years, and compulsory work—in hours.

2. In case of substitution of penalties or combination of penalties specified by part one of the present article, as well as in crediting penalties, terms of penalties may be computed in days.

3. The time a person is held in custody prior to the judicial investigation is credited toward the term of imprisonment, confinement in a disciplinary military unit or arrest, figuring one day for one day; toward limitation of freedom—one day for two days; toward correctional work and limitation of military service—one day for

three days, and toward the time of compulsory work—figuring one day of being held in custody for 8 hours of compulsory work.

4. The time of holding a person in custody prior to the time the court sentence goes into legal effect and the time of serving imprisonment imposed by court sentence for a crime committed outside the limits of the Russian Federation, and in the case of extradiction of the person on the basis of Article 13 of the present Code, are computed figuring one day for one day.

5. In the case of imposition of fine, deprivation of the right to hold certain official positions or to engage in certain activity as the main form of punishment upon a person being held in custody prior to judicial investigation, the court, taking into consideration the term for which the person was held in custody, mitigates the imposed penalty or totally excuses the individual from serving this sentence.

Article 73. Conditional conviction

1. If, having imposed correctional work, limitation of military service, limitation of freedom, confinement in a disciplinary military unit or imprisonment as the penalty, the court concludes that there is a possibility of rehabilitating the convicted individual without his serving the sentence, it decrees that the imposed penalty shall be considered conditional.

2. In imposing a conditional conviction, the court takes into consideration the character and degree of social danger of the committed crime, and the personality of the guilty party, including mitigating and aggravating circumstances.

3. In imposing conditional conviction, the court establishes a probationary period, during which the conditionally convicted persom must prove his rehabilitation by his behavior. In the case of imposition of imprisonment for a term of up to 1 year or a milder form of punishment, the probationary period must be no less than 6 months and no more than 3 years, and in the case of imposition of imprisonment for a term of over 1 year—no less than 6 months and no more than 5 years.

4. Under conditional conviction, additional types of punishment may be imposed, except for confiscation of property.

5. The court, in imposing conditional conviction, may place the fulfillment of certain responsibilities upon the conditionally convicted person: Not to change his permanent place of residence, *employment or study* without notifying a specialized state agency in charge of rehabilitation of the convicted individual; Not to visit certain places; To pass a course of treatment for alcoholism, drug addiction, toxic substance abuse or venereal disease; To provide material support of his family. The court may charge the conditionally convicted person with fulfillment of other responsibilities as well, which facilitate his rehabilitation.

6. Control over the behavior of the conditionally convicted person is performed by a specialized state agency authorized for this purpose, and in regard to military servicemen—by the command of the military units and institutions.

7. During the probationary period, the court, at the request of the agency implementing control over the behavior of the conditionally convicted person, may rescind in full or in part, or supplement the responsibilities previously established for the conditionally convicted individual.

Article 74. Repeal of conditional conviction or extension of probationary period

1. If, prior to expiration of the probationary period, the conditionally convicted person, through his behavior, demonstrates his rehabilitation, the court at the request of the agency implementing control over the behavior of the conditionally convicted person, may decree that the conditional conviction be rescinded and the prior conviction be expunged. In this case, the conditional conviction may be repealed upon expiration of no less than half of the established probationary period.

2. If the conditionally convicted person evades fulfillment of the responsibilities placed upon him by the court or commits violation of the public order, for which administrative penalty is imposed on him, the court, at the request of the agency indicated in part one of the present article, may extend the probationary period, but for no more than 1 year.

3. In the case of systematic or malicious non-fulfillment by the conditionally convicted individual of the responsibilities placed upon him by the court during the probationary period, the court, at the request of the agency indicated in part one of the present article, decrees the repeal of the conditional conviction and requires fulfillment of the penalty imposed by the court sentence.

4. If, in the course of the probationary period, the conditionally convicted individual commits a crime due to negligence or an intentional crime of minor severity, the question of repeal or retention of the conditional conviction is resolved by the court.

5. If, in the course of the probationary period, the conditionally convicted individual commits a crime of moderate severity, an intentional grave or very grave crime, the court shall repeal the conditional conviction

and impose upon him the punishment according to the rules specified in *Article 70* of the present Code. Penalty is imposed under these same rules in the cases specified in part four of the present article.

SECTION IV. EXCUSE FROM CRIMINAL RESPONSIBILITY AND FROM PUNISHMENT

CHAPTER 11. EXCUSE FROM CRIMINAL RESPONSIBILITY

Article 75. Excuse from criminal responsibility in connection with active repentance

1. A person who has committed a crime of minor severity for the first time may be excused from criminal responsibility if, after committing the crime, he voluntarily acknowledges guilt, facilitates exposure of the crime, compensates the inflicted loss or by some other manner makes amends for the harm inflicted as a result of the crime.

2. A person who has committed a crime of another category, in the presence of conditions specified in part one of the present article, may be excused from criminal responsibility only in cases specially provided by the appropriate articles of the Special part of the present Code.

Article 76. Excuse from criminal responsibility in connection with conciliation with victim

A person who has committed a crime of minor severity for the first time may be excused from criminal responsibility if he reconciles with the victim and makes amends for the harm inflicted upon the victim.

Article 77. Excuse from criminal responsibility in connection with change of circumstances

A person who has committed a crime of minor or moderate severity for the first time may be excused from criminal responsibility if it is determined that, as a result of a change in the circumstances, this person and the action performed by him were no longer socially dangerous.

Article 78. Excuse from criminal responsibility in connection with expiration of term of limitation

1. A person is excused from criminal responsibility if the following terms have elapsed since the day of commission of a crime:

a) 2 years after committing a crime of minor severity;

b) 6 years after committing a crime of moderate severity;

c) 10 years after committing a grave crime;

d) 15 years after committing an especially grave crime.

2. Terms of limitation are computed from the day of commission of the crime and to the moment the court sentence goes into legal effect. If the person commits a new crime, the terms of limitation for each crime are computed separately.

3. The course of the terms of limitation is halted if a person who commits a crime evades investigation or trial. In this case, the course of the terms of limitation is renewed from the moment of detainment of the said person and his acknowledgement of guilt.

4. The question of application of terms of limitation to a person who has committed a crime punishable by the death penalty or by life imprisonment is decided by the court. If the court does not deem it possible to excuse the said person from criminal responsibility in connection with expiration of the terms of limitation, the death penalty and life imprisonment are not applied.

5. Terms of limitation are not applied to persons committing crimes against the peace and security of mankind, specified in *Articles 353, 356, 357 and 358* of the present Code.

CHAPTER 12. RELEASE FROM PUNISHMENT

Article 79. Conditional-early release from serving punishment

1. A person serving a term of correctional work, limitation of military service, limitation of freedom, confinement in a disciplinary military unit or imprisonment may receive conditional-early release, if the court finds that he does not need to serve the full sentence imposed upon him by the court in order to be rehabilitated. In this case, the person may be fully or partially excused from serving an additional form of punishment.

2. In applying the conditional-early release, the court may place upon the convicted person the responsibilities provided in part five, *Article 73* of the present Code, which must be fulfilled by him for the remainder of the unserved term.

3. Conditional-early release may be applied only after the convicted person has actually served:

a) no less than half of the term of punishment imposed for a crime of minor or moderate severity;

b) no less than two-thirds of the term of punishment imposed for a grave crime;

c) no less than three-fourths of the term of punishment imposed for an especially grave crime, as well as three-fourths of the term of punishment imposed upon a person who previously received early-conditional release, if the conditional-early release was rescinded on grounds specified in part seven of the present article.

4. The term of imprisonment actually served by the convicted person may not be less than 6 months.

5. A person serving a sentence of life imprisonment may receive conditional-early release, if the court finds that he does not require further serving of this punishment, and has in fact already served no less than 25 years of imprisonment.

6. Control over the behavior of a person receiving conditional-early release is performed by the specialized state agencies authorized for this, and in regard to military servicemen—by the command of the military units and institutions.

7. If, in the course of the remaining unserved portion of the sentence:

a) the convicted person commits a violation of public order, for which he receives administrative penalty, or maliciously evades fulfillment of the responsibilities placed on him by the court in granting the conditional-early release, the court, at the request of the agencies indicated in part six of the present article, decrees the repeal of the conditional-early release, and the fulfillment of the remaining, unserved, portion of the sentence;

b) the convicted person commits a crime of negligence, the question of repeal or retention of the conditional-early release is resolved by the court;

c) the convicted person commits an intentional crime, the court imposes punishment upon him according to the rules specified in *Article 70* of the present Code. Punishment is imposed according to these same rules in the case of commission of a crime through negligence, if the court repeals the conditional-early release.

Article 80. Substitution of unserved portion of sentence for a milder form of punishment

1. For a person serving a sentence of imprisonment for a crime of minor or moderate severity, the court, taking into consideration his behavior during the period of serving his sentence, may substitute the remaining unserved portion of the sentence for a milder form of punishment. In this case, the person may be fully or partially excused from serving an additional form of punishment.

2. The unserved part of the sentence may be substituted for a milder form of punishment after the convicted person has actually served no less than one-third of his term of punishment.

3. In substituting the unserved portion of the sentence, the court may select any milder form of punishment in accordance with the types of punishment indicated in Article 45 of the present Code, within the limits specified by the present Code for each type of punishment.

Article 81. Excuse from punishment due to illness

1. A person who, after committing a crime, has an onset of mental disorder which deprives him of the possibility of recognizing the actual character and social danger of his actions (inaction), or to manage them, is excused from punishment; A person serving sentence is excused from further serving it. For such persons, the court may impose compulsory measures of a medical character.

2. A person who, after committing a crime, has become ill with some other serious illness which hinders fulfillment of his sentence, may be excused by the court from serving his sentence.

3. Military servicemen serving arrest or confinement in a disciplinary military unit are excused from further serving of punishment in case of illness which makes them unsuitable for military service. The unserved part of the sentence may be substituted for a milder form of punishment.

4. Persons indicated in parts one and two of the present article, in the case of their recovery, may be subject to *criminal responsibility and* punishment, if the terms of limitation specified in *Articles 78 and 83* of the present Code have not expired.

Article 82. Postponement of serving sentence for pregnant women and women with young children

1. Convicted pregnant women and women with children under 8 years of age, except for those sentenced to imprisonment for a term exceeding 5 years for grave and especially grave crimes against the individual, may have serving of their sentence postponed by the court until the child reaches the age of 8.

2. If the convicted woman indicated in part one of the present article has given up her child and [handed him over to a children's home, or] continues to evade upbringing of the child after receiving a warning from the agency implementing control over the behavior of the convicted woman whose sentence has been postponed, the court may, upon request of this agency, rescind the postponement of serving sentence and send the convicted woman to serve her punishment at the place appointed in accordance with the court sentence.

3. When the child reaches the age of 8, the court excuses the convicted woman from serving the remaining portion of her sentence, or replaces the remaining part

of the sentence with a milder form of punishment, or makes the decision to return the convicted woman to the appropriate institution for serving the remaining part of the sentence.

4. If, during the period of postponement of serving sentence, the convicted woman commits a new [premeditated] crime, the court imposes punishment upon her in accordance with the rules specified in *Article 70* of the present Code.

Article 83. Excuse from serving punishment in connection with expiration of the terms of limitation of the court sentence

1. A person convicted for committing a crime is excused from serving punishment if the accusatory sentence of the court was not brought to fulfillment within the following times from the day on which it went into legal effect:

a) 2 years in conviction for crime of minor severity;

b) 6 years in conviction for crime of moderate severity;

c) 10 years in conviction for grave crime;

d) 15 years in conviction for especially grave crime.

2. The course of the terms of limitations is stopped if the convicted person evades serving punishment. In this case, the course of the term of limitation is renewed from the moment of detainment of the convicted person or his appearance with acknowledgement of guilt. The terms of limitation which have elapsed by the moment of the convicted person's evasion of serving sentence are subject to consideration.

3. The question of applying terms of limitation to a person sentenced to the death penalty or to life imprisonment is resolved by the court. If the court does not deem it possible to apply the terms of limitation, these types of punishment are replaced by imprisonment for a specified term.

4. For persons convicted of committing crimes against peace and security of mankind specified in *Articles 353, 356, 357 and 358* of the present Code, terms of limitation are not applied.

CHAPTER 13. AMNESTY, PARDON, PRIOR CONVICTION

Article 84. Amnesty

1. Amnesty is declared by the State Duma of the Federal Assembly of the Russian Federation in regard to an individual unspecified circle of persons.

2. Persons who have committed a crime may be excused from criminal responsibility by act of amnesty. Persons convicted of committing crimes may be excused from punishment, or the punishment imposed upon them may be reduced or substituted with a milder form of punishment, or such persons may be excused from additional form of punishment. Prior conviction may be removed by an act of amnesty from persons serving a sentence.

Article 85. Pardon

1. A pardon is issued by the President of the Russian Federation in regard to a specific individual person.

2. By act of pardon, a person convicted of a crime may be excused from further serving his sentence or the punishment imposed upon him may be reduced or substituted for a milder form of punishment. An act of pardon may remove prior conviction from a person who has served his sentence.

Article 86. Prior conviction

1. A person convicted of committing a crime is considered to have prior conviction from the day the accusatory sentence of the court goes into legal effect and up until the moment of clearing or removal of prior conviction. In accordance with the present Code, prior conviction is taken into consideration in the case of a repeat offense and in imposition of punishment.

2. A person excused from punishment is considered not to have prior conviction.

3. Prior conviction is cleared:

a) in regard to persons conditionally convicted—upon expiration of the probationary period;

b) in regard to persons sentenced to milder forms of punishment than imprisonment—upon expiration of 1 year after serving their sentence;

c) in regard to persons sentenced to imprisonment for crimes of minor or moderate severity—upon expiration of *3 years* after serving their sentence;

d) in regard to persons sentenced to imprisonment for grave crimes—upon expiration of *6 years* after serving their sentence;

e) in regard to persons convicted for committing an especially grave crime—upon expiration of *8 years* after serving their sentence.

4. If a lawfully convicted person received early release from serving his sentence or if the unserved portion of his sentence was replaced with a milder form of punishment, the term of expunging prior conviction is computed based on the actually served term of the sentence from the moment of release from serving the basic and additional forms of punishment.

5. If, after serving his punishment, the convicted person conducted himself in an exemplary manner, at his petition the court may remove his prior conviction before expiration of the term for expunging prior conviction. [but no sooner than upon expiration of half of this term.]

6. Expunging or removal of prior conviction annuls all legal consequences associated with prior conviction.

SECTION V. CRIMINAL RESPONSIBILITY OF MINORS

CHAPTER 14. SPECIFICS OF CRIMINAL RESPONSIBILITY AND PUNISHMENT OF MINORS

Article 87. Criminal responsibility of minors

1. Minors are deemed to be persons who, at the time of committing a crime, were 14 years of age, but had not yet reached the age of 18.

2. Minors who have committed a crime may be imposed punishment, or compulsory educational measures may be applied to them.

Article 88. Types of punishments imposed upon minors

1. Types of punishment imposed upon minors are:

a) fine;

b) deprivation of the right to engage in certain activity;

c) compulsory work;

d) correctional work;

e) arrest;

f) imprisonment for a specified term.

2. Fine is imposed only if the convicted minor has an independent source of earnings or property on which penalty may be imposed. Fine is specified in the amount of from *10 to 500* times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the minor convicted for a period of from 2 weeks to 6 months.

3. Compulsory work is imposed for a term of from 40 to 160 hours and consists of fulfillment of work which the minor is capable of performing and is fulfilled by him in the time which he has free from study or primary work. The duration of fulfillment of this form of punishment by persons under 15 years of age may not exceed 2 hours a day, and by persons from 15 to 16 years of age—3 hours a day.

4. Correctional work is imposed upon minors convicted for a term of up to 1 year.

5. Arrest is imposed upon convicted minors who have reached the age of 16 at the time of court sentencing, for a term of from 1 to 4 months.

6. Imprisonment is imposed upon convicted minors for a term not to exceed 10 years, and is served:

—by minor males sentenced for the first time to imprisonment, as well as by minor females—in educational colonies of general regimen;

—by minor males who have previously served a term of imprisonment—in educational colonies of intensive regimen.

7. The court may direct the agency carrying out the sentence to take into consideration certain individual peculiarities of the individual's personality in its treatment of him.

Article 89. Imposition of penalty upon minor

1. In imposing penalty upon a minor, aside from the circumstances specified in *Article 60* of the present Code, consideration is given to the conditions of his life and upbringing, level of mental development, other individual specifics, as well as the influence of older persons upon him.

2. Minor age as a mitigating circumstance is taken into consideration in complement with other mitigating and aggravating circumstances.

Article 90. Application of compulsory measures of educational influence

1. A minor who has committed a crime of minor or moderate severity for the first time may be excused from criminal responsibility if it is deemed that his correction may be achieved by means of application of compulsory measures of educational effect.

2. The following compulsory measures of educational effect may be appointed for a minor:

a) warning;

b) remanding to the custody of parents or persons replacing them, or to a specialized state agency;

c) imposing responsibility to make amends for inflicted harm;

d) limiting spare time and establishing specific requirements for behavior of the minor.

3. Several compulsory educational measures may be imposed upon a minor at the same time. *The duration of the term of application of compulsory measures of educational effect, as specified in points "b" and "d",*

part two of the present article, shall be determined by the agency imposing these measures.

4. In the case of systematic non-fulfillment of the compulsory educational measures by the minor, this measure is repealed upon request of the specialized state agency, and the materials are forwarded for bringing the minor to criminal responsibility.

Article 91. Content of compulsory educational measures

1. A warning consists of explaining to the minor person the harm inflicted by his action, and the consequences of repeat commission of the crimes specified in the present Code.

2. Remanding to custody consists of placing on *the parents or persons replacing them, or on a specialized state agency,* the responsibility for upbringing of the minor person and control of his behavior.

3. The responsibility to make amends for inflicted harm is imposed with consideration of the property position of the minor and his possession of appropriate labor skills.

4. Limiting spare time and establishing specific requirements for the behavior of the minor may specify prohibition from visiting certain places, using certain forms of leisure activities, including those associated with operating a motor vehicle, imposing house curfew after a certain time of day, or prohibitions on going to other places without permission of the specialized state agency. A minor may also be given the requirement to return to an educational institution or to find employment with the aid of the specialized state agency. The present list is not exhaustive.

Article 92. Excusing minors from punishment

1. A minor person convicted of committing crimes of minor or moderate severity may be excused by the court from punishment with the application of compulsory educational measures specified in part two, *Article 90* of the present Code.

2. A minor person convicted of committing a crime of moderate severity may be excused by the court from punishment if it is deemed that the goals of the punishment may be achieved only by means of placing him in a special educational or treatment-educational institution for minors. In this case, the term of stay in the said institution may not exceed the maximal term of the punishment specified by the present Code for a crime committed by the minor.

3. The stay in the said institution may be terminated prior to expiration of the term specified in part two of the present article, if at the conclusion of the specialized state agency providing correction the minor no longer requires further application of this measure for his correction. Prolonging the stay in the special educational or treatment-educational institution for minors after expiration of the term specified in part two of the present article is permitted only in the case of need to conclude general educational or professional training.

Article 93. Conditional-early release of minor from serving sentence

Conditional-early release from serving punishment may be applied to a minor who has been sentenced to *correctional work or to* imprisonment after he has actually served:

a) no less than one-third of the term of the punishment imposed by the court for a crime of minor or moderate severity;

b) no less than half of the term of punishment imposed by the court for a grave crime;

c) no less than two-thirds of the term of punishment imposed by the court for an especially grave crime.

Article 94. Terms of limitation

Terms of limitation specified in *Articles 78 and 83* of the present Code, upon excuse of minors from criminal responsibility or from serving sentence, are reduced by one-half.

Article 95. Terms of expunging prior conviction

For persons who have committed a crime prior to reaching the age of 18, the terms of expunging prior conviction specified in part three, *Article 86* of the present Code, are reduced, and are respectively equal to:

a) 1 year after serving sentence of deprivation of freedom for a crime of minor or moderate severity;

b) 3 years after serving sentence of deprivation of freedom for a grave or especially grave crime.

Article 96. Application of statutes of the present chapter to persons between the ages of 18 and 20

In exceptional cases, with consideration for the character of the committed act and the individual, the court may apply the statutes of the present chapter to persons who have committed a crime while between the ages of 18 and 20, other than placing them in special educational or treatment-educational institution for minors.

SECTION VI. COMPULSORY MEASURES OF A MEDICAL CHARACTER

CHAPTER 15. COMPULSORY MEASURES OF A MEDICAL CHARACTER

Article 97. Grounds for application of compulsory measures of a medical character.

1. Compulsory measures of a medical character may be imposed by the court upon persons:

a) who have committed actions specified in articles of the Special part of the present Code while in a state of diminished capacity;

b) who, after commission of the crime, suffered the onset of mental disorder, making it impossible to impose or fulfill punishment;

c) who have committed a crime and are suffering from mental disorders, not excluding competency;

d) who have committed a crime and have been found to require treatment for alcoholism or drug addiction.

2. For persons indicated in part one of the present article, compulsory measures of a medical character are imposed only in cases when the mental disorders are associated with the possibility of these persons committing some other significant harm, or with danger to themselves or other persons.

3. The order of fulfillment of compulsory measures of a medical character is determined by the criminal-executive legislation of the Russian Federation *and other federal laws.*

4. In regard to persons indicated in part one of the present article and not posing danger by their mental state, the court may forward the necessary materials to the public health organs for resolution of the question on treatment of these persons or directing them to psycho-neurological institutions for social provision in accordance with the procedure specified by the Russian Federation legislation on public health.

Article 98. Goals of application of compulsory measures of a medical character

The goals of application of compulsory measures of a medical character are to cure the persons indicated in part one, *Article 97* of the present Code, or to imprive their mental state, as well as to prevent them from committing new actions specified in the articles of the Special part of the present Code.

Article 99. Types of compulsory measures of a medical character

1. The court may appoint the following types of compulsory measures of a medical character:

a) ambulatory compulsory observation and treatment by a psychiatrist;

b) compulsory treatment in a general psychiatric hospital;

c) compulsory treatment in a specialized psychiatric hospital;

d) compulsory treatment in a specialized psychiatric hospital with intensive observation.

2. For persons convicted of crimes committed while in a state of competency, but requiring treatment from alcoholism, drug addiction or treatment for mental disorders which do not exclude competency, the court may, along with the punishment, also impose compulsory measures of a medical character in the form of ambulatory compulsory observation and treatment by a psychiatrist.

Article 100. Ambulatory compulsory observation and treatment by a psychiatrist

Ambulatory compulsory observation and treatment by a psychiatrist may be imposed in the presence of grounds specified in Article 98 of the present Code, if the person, by his mental state, does not require confinement in a psychiatric hospital.

Article 101. Compulsory treatment in a psychiatric hospital

1. Compulsory treatment in a psychiatric hospital may be imposed in the presence of grounds specified in Article 98 of the present Code, if the character of the person's mental disorder requires such conditions of treatment, care, maintenance and observation which may be performed only in a psychiatric hospital.

2. Compulsory treatment in a general psychiatric hospital may be appointed for a person who by his mental state requires hospital treatment and observation, but does not require intensive observation.

3. Compulsory treatment in a specialized psychiatric hospital may be appointed for a person who by his mental state requires constant observation.

4. Compulsory treatment in a specialized psychiatric hospital with intensive observation may be appointed for a person who, by his mental state, poses a specific danger to himself and other persons, and requires continuous and intensive observation.

Article 102. Extending, changing and terminating application of compulsory measures of a medical character

1. Extending, changing and terminating the application of compulsive measures of a medical character may be performed by the court at the request of the administration of the institution performing the compulsory treatment, based on the conclusion of a commission of psychiatric doctors.

2. The person for whom the compulsory measure of a medical character was appointed is subject to certification by a commission of psychiatric doctors no less than once in 6 months for resolving the question of presence of grounds for petitioning the court to terminate or change such measures. In the absence of grounds for terminating or changing the compulsory measure of a medical character, the administration of the institution performing the compulsory treatment submits to the court a conclusion on extending the compulsory treatment. The first extension of compulsory treatment may be performed upon expiration of 6 months from the moment of the start of treatment, with subsequent extensions of compulsory treatment being performed annually.

3. The change or termination of the compulsory measures of a medical character are performed by the court in the case of such change in the mental state of the person under which it is no longer necessary to apply the previously appointed measure, or if the need arises for appointing a different compulsory measure of a medical character.

4. In the case of termination of the application of compulsory treatment in a psychiatric hospital, the court may forward the necessary materials regarding the person receiving compulsory treatment to the organs of public health for resolving the question of his treatment or referral to a psycho-neurological institute for social provision in accordance with the procedure provided by the Russian Federation legislation on public health.

Article 103. Consideration of time of application of compulsory measures of a medical character

In the case of recovery of a person whose mental disorder began after commission of the crime, in imposition of a penalty or renewal of it, the fulfillment of the time during which compulsory treatment in a psychiatric hospital was applied to the person is counted toward the term of the punishment, figuring one day of stay in a psychiatric hospital for one day of imprisonment.

Article 104. Compulsory measures of a medical character associated with fulfillment of punishment

1. In cases specified by part two, *Article 99* of the present Code, compulsory measures of a medical character are carried out at the place of imprisonment, and in regard to persons sentenced to other types of punishment—in the institutions of the public health organs providing walk-in psychiatric aid.

2. In case of change in the mental state of the convicted person requiring hospital treatment, placement of the convicted person in a psychiatric hospital or other treatment institution is performed in accordance with the procedure and on the grounds which are provided by Russian Federation legislation on public health.

3. The time of stay in the indicated institutions is credited to the term of serving sentence. If further treatment of the convicted person in the said institutions becomes no longer necessary, discharge is performed in accordance with the procedure specified by the Russian Federation legislation on public health.

4. Termination of the application of the compulsory measure of a medical character associated with fulfillment of the sentence is performed by the court at the request of the organ fulfilling the punishment, on the basis of the conclusion of a commission of psychiatric doctors.

SPECIAL PART

SECTION VII. CRIMES AGAINST THE INDIVIDUAL

CHAPTER 16. CRIMES AGAINST LIFE AND HEALTH

Article 105. Murder

1. Murder, that is the intentional infliction of death upon another person,

—is punishable by imprisonment for a term of from *6 to 15 years.*

2. Murder:

a) of two or more persons;

b) of a person or his dear ones in connection with the performance of official duties or fulfillment of public service by this person;

c) of a person who is known by the guilty party to be in a helpless state, and likewise in connection with abduction of a person or taking of a hostage;

d) of a woman known by the guilty party to be pregnant;

e) committed with particular cruelty;

f) committed by a generally dangerous method;

g) committed by a group of persons, a group of persons by preliminary agreement or by an organized group;

h) committed out of mercenacy motives or for hire, and likewise associated with assault, extortion or banditism;

i) committed out of hooliganistic motives;

j) committed for the purpose of concealing another crime or facilitating its commission, and likewise associated with rape or forced actions of a sexual character;

k) committed by motive of national, racial or religious hatred or enmity, or blood fued;

l) committed for the purpose of utilizing the organs or tissues of the victim;

m) committed repeatedly,

—is punishable by imprisonment for a term of from 8 to 20 years, or by the death penalty or life imprisonment.

Article 106. Murder of newborn child by mother

Murder of a newborn child by a mother during or immediately following birth, and likewise murder of a newborn child by a mother under conditions of a psychotraumatic situation or while in a state of mental disorder, not excluding competency,

—is punishable by imprisonment for a term of up to 5 years.

Article 107. Murder committed in a state of temporary insanity

1. Murder committed in a state of suddenly arising strong mental agitation (temporary insanity) caused by violence, mockery or grave insult on the part of the victim, or other illegal or amoral actions (inaction) of the victim, and likewise a prolonged psychotraumatizing situation arising in connection with the systematically illegal or amoral behavior of the victim,

—is punishable by limitation of freedom for a term of up to 3 years, or by imprisonment for the same term.

2. Murder of two or more persons committed in a state of temporary insanity,

—is punishable by imprisonment for a term of up to 5 years.

Article 108. Murder committed while exceeding the limits of necessary defense or while exceeding measures necessary for detainment of a person who has committed a crime

1. Murder committed while exceeding the limits of necessary defense,

—is punishable by limitation of freedom for a term of up to 2 years or by imprisonment for the same term.

2. Murder committed while exceeding measures necessary for detainment of a person who has committed a crime,

—is punishable by limitation of freedom for a term of up to 3 years, or imprisonment for the same term.

Article 109. Causing death due to negligence

1. Causing death due to negligence,

—is punishable by limitation of freedom for a term of up to 3 years, or imprisonment for the same term.

2. Causing death by negligence as a result of improper fulfillment by a person of his professional duties, and likewise causing death by negligence to two or more persons,

—is punishable by limitation of freedom for a term of up to 5 years, or imprisonment for the same term, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 110. Driving to suicide

Driving a person to suicide or to attempted suicide by means of threats, harsh treatment or systematic insults to the human dignity of the victim,

—is punishable by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 5 years.

Article 111. Intentional infliction of grave injury to health

1. Intentional infliction of grave injury to health, which is life-threatening to a person or which entails loss of his vision, speech, hearing or some organ, or loss of function by an organ, or which is expressed in irreparable disfigurement of the face; Likewise, infliction of other bodily injury which is life-threatening or causes disruption of health and is associated with significant persistent loss of general work capacity by no less than one-third and with full loss of professional work capacity or entailing termination of pregnancy, mental disorder, drug addition or toxic substance addiction,

—is punishable by imprisonment for a term of from 2 to 8 years.

2. The same actions, performed:

a) in regard to a person or his dear ones in connection with the performance of official duties or fulfillment of social debt by the said person;

b) with particular cruelty, mockery or torment to the victim, *and likewise in regard to a person who is known by the guilty party to be in a helpless state;*

c) by generally dangerous means;

d) for hire;

e) out of hooliganistic motives;

f) by motive of national, racial or religious hatred or enmity;

g) for the purpose of utilizing the organs or tissues of the victim,

—is punishable by imprisonment for a term of from 3 to 10 years.

3. Actions specified in parts one or two of the present article, if they are performed:

a) by a group of persons, a group of persons by preliminary agreement or an organized group;

b) in regard to two or more persons;

c) repeatedly or by a person who has previously committed murder, as specified in *Article 105* of the present Code,

—are punishable by imprisonment for a term of from 5 to 12 years.

4. Actions specified in parts one, two or three of the present article which result in the death of the victim due to negligence,

—are punishable by imprisonment for a term of from 5 to 15 yeas.

Article 112. Intentional infliction of moderately severe harm to health

1. Intentional infliction of moderately severe harm to health, which is not life-threatening and which does not entail the consequences indicated in *Article 111* of the present Code, but which causes prolonged disruption of health or significant persistent loss of general work capacity by less than one-third,

—is punishable by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 3 years.

2. The same action, performed:

a) in regard to two or more persons;

b) in regard to a person and his dear ones in connection with the performance of official duty or fulfillment of social debt by the said person;

c) with particular cruelty, mockery, or torment to the victim, *and likewise in regard to a person who is known by the guilty party to be in a helpless state;*

d) by a group of persons, a group of persons by preliminary agreement or by an organized group;

e) out of hooliganistic motives;

f) by motive of national, racial, religious hatred or enmity;

g) repeatedly or by a person who previously committed intentional infliction of severe bodily injury or murder, as specified by *Article 105* of the present Code,

—is punishable by imprisonment for a term of up to 5 years.

Article 113. Infliction of grave or moderately grave injury to health while in a state of temporary insanity

Intentional infliction of grave or moderately grave injury to health, performed in a state of suddenly emerging strong mental agitation (temporary insanity) caused by violence, mockery or grave insult on the part of the victim, or by some other unlawful or amoral action (inaction) of the victim, and likewise prolonged psychotraumatizing situation arising in connection with the systematic unlawful or amoral behavior of the victim,

—is punishable by limitation of freedom for a term of up to 2 years or by imprisonment for the same term.

Article 114. Infliction of grave injury to health while exceeding limits of necessary defense or while exceeding measures necessary for detainment of a person who has committed a crime

1. Intentional infliction of grave injury to health performed while exceeding the limits of necessary defense,

—is punishable by limitation of freedom for a term of up to 2 years or by imprisonment for a term of up to 1 year.

2. Intentional infliction of grave or moderately grave injury to health performed while exceeding measures necessary for detainment of a person who has committed a crime,

—is punishable by limitation of freedom for a term of up to 2 years or by imprisonment for the same term.

Article 115. Intentional infliction of mild injury to health

Intentional infliction of mild injury to health, entailing short-term disruption of health or insignificant persistent loss of general work capacity,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to one month, or by compulsory work for a term of from 180 to 240 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of from 2 to 4 months.

Article 116. Beatings

Infliction of beatings or performance of other forceful actions inflicting physical pain, but not entailing the consequences specified in *Article 115* of the present Code,

—is punishable by fine in the amount of up to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to one month, or by compulsory work for a term of from 120 to 180 hours, or by correctional work for a term of up to 6 months, or by arrest for a term of up to 3 months.

Article 117. Torture

1. Infliction of physical or mental suffering by means of systematic infliction of beatings or other violent actions, if this does not entail the consequences indicated in *Articles 111 and 112* of the present Code,

—is punishable by imprisonment for a term of up to 3 years.

2. The same action, performed:

a) in regard to two or more persons;

b) in regard to a person or his dear ones in connection with fulfillment of official duties or with fulfillment of social debt by the said person;

c) in regard to a woman who is known by the guilty party to be in a state of pregnancy;

d) in regard to a person who is known to be a minor or a person who is known by the guilty party to be in a helpless state or in material or other dependence on the guilty party, and likewise a person who has been abducted or taken hostage;

e) with application of torture;

f) by a group of persons, group of persons by preliminary agreement or by an organized group;

g) for hire;

h) by motive of national, racial, religious hatred or enmity,

—is punishable by imprisonment for a term of from 3 to 7 years.

Article 118. Infliction of grave or moderately grave injury to health through negligence

1. Infliction of grave injury to health due to negligence,

—is punishable by a fine in the amount of from 100 to 200 times the minimal amount of the labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of up to 2 years, or by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months.

2. The same action, performed as a result of improper fulfillment of one's professional responsibilities,

—is punishable by limitation of freedom for a term of up to 4 years, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

3. Infliction of moderately severe injury to health due to negligence,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for the period of one month, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by limitation of freedom for a term of up to 2 years, or by arrest for a term of up to 3 months.

4. The same action, performed as a result of improper fulfillment of one's professional duties,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 1 year with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 119. Threat of murder or infliction of grave injury to health

Threat of murder or infliction of grave injury to health, if there are grounds to fear implementation of such threat,

—is punishable by limitation of freedom for a term of up to 2 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years.

Article 120. Coersion to remove human organs or tissues for transplantation

1. Coersion to remove human organs or tissues for transplantation, performed with application of force or with threat of its application,

—is punishable by imprisonment for a term of up to 4 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, performed in regard to a person known by the guilty party to be in a helpless state or in material or other dependence on the guilty party,

—is punishable by imprisonment for a term of from 2 to 5 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 121. Infection with venereal disease

1. Infection of another person with venereal disease by a person who knowly has this disease,

—is punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months.

2. The same action, performed in regard to two or more persons or in regard to someone who is known to be a minor,

—is punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 2 years.

Article 122. Infection with HIV

1. Knowing exposure of another person to the danger of contracting the HIV-infection,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 1 year.

2. Infection of another person with HIV by a person who knowingly has this disease,

—is punishable by imprisonment for a term of up to 5 years.

3. The action specified in part two of the present article, performed in relation to two or more persons or in relation to one who is known to be a minor,

—is punishable by imprisonment for a term of up to 8 years.

4. Infection of another person with the HIV-infection as a result of improper fullfillment of one's professional duties,

—is punishable by imprisonment for a term of up to 5 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years.

Article 123. Performing illegal abortions

1. Performing abortions by a person who does not have a higher medical education of appropriate description,

—is punishable by a fine in the amount of from 100 to 200 times the minimal amount of the labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 100 to 240 hours, or by correctional work for a term of from 1 to 2 years.

2. The same action, performed by a person who has prior conviction for performing illegal abortions,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years.

3. The actions specified in parts one or two of the present article, if they entailed death of the victim due to negligence or infliction of severe harm to her health,

—are punishable by imprisonment for a term of up to 5 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 124. Failure to give aid to a sick person

1. Failure to give aid to a sick person without valid reason by a person who is obligated to provide it in accordance with the law or with special rules, if this entails, by his negligence, the infliction of moderately severe injury to the health of the patient,

—is punishable by fine in the amount of from 50 to 100 times the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to one month, or by correctional work for a term of up to 1 year, or by arrest for a term of from 2 to 4 months.

2. The same action, if it entailed, through negligence, the death of the patient or the infliction of grave injury to health,

—is punishable by imprisonment for a term of up to 3 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 125. Leaving in danger

Knowingly leaving without assistance a person who is in a state which is dangerous to his life or health and is deprived of the opportunity to take measures for self-preservation due to his young age, old age, illness, or as a result of his helplessness, in cases where the guilty party had the opportunity to provide assistance to this person and was obligated to care for him or himself placed him in the situation endangering his life or health,

—is punishable by fine in the amount of from 50 to 100 times the minimal amount of the labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to one month, or by compulsory work for a period of from 120 to 180 hours, or by compulsory work for a term of up to 1 year, or by arrest for a term of up to 3 months.

CHAPTER 17. CRIMES AGAINST THE FREEDOM, HONOR AND DIGNITY OF THE INDIVIDUAL

Article 126. Abduction of a person

1. Abduction of a person,

—is punishable by imprisonment for a term of from 4 to 8 years.

2. The same action, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with application of force dangerous to life or health;

d) with application of weapons or objects used as weapons;

e) in regard to one who is known to be a minor;

f) in regard to a woman known by the guilty party to be pregnant;

g) in regard to two or more persons;

h) out of mercenary motives,

—is punishable by imprisonment for a term of from 5 to 10 years.

3. The actions specified in parts one or two of the present article, if they are performed by an organized group or, due to negligence, lead to the death of the victim or other grave consequences,

—are punishable by imprisonment for a term of from 5 to 15 years.

Note: A person who voluntarily frees an abudctee is excused from criminal responsibility, if his actions do not comprise any other complement of a crime.

Article 127. Unlawful imprisonment

1. Unlawful imprisonment of a person, which is not associated with his abduction,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

2. The same action, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with application of force dangerous to life or health;

d) with application of weapons or objects used as weapons;

e) in regard to one who is known to be a minor;

f) in regard to a woman whom the guilty party knows to be pregnant;

g) in regard to two or more persons,

—is punishable by imprisonment for a term of from 3 to 5 years.

3. Actions specified by parts one or two of the present article, if they are performed by an organized group or, through negligence, entail the death of the victim or other grave consequences,

—are punishable by imprisonment for a term of from 4 to 8 years.

Article 128. Unlawful confinement in a psychiatric hospital

1. Unlawful confinement of a person in a psychiatric hospital,

—is punishable by imprisonment for a term of up to 3 ywears.

2. The same action, if it is performed by a person with the use of his official position or, through negligence, entails the death of the victim or other grave consequences,

—is punishable by imprisonment for a term of from 3 to 7 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 129. Slander

1. Slander, that is the promulgation of knowingly false information which defames the honor and dignity of another person or undermines his reputation,

—is punishable by a fine in the amount of from 50 to 100 times the minimal amounts of the labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to one year.

2. Slander contained in a public speech, publicly demonstrated work or in the mass media,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from one to two months, or by compulsory work for a term of from 180 to 240 hours, or by correctional work in the term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months.

3. Slander associated with accusation of a person of committing a grave or especially grave crime,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 3 years.

Article 130. Insult

1. Insult, that is the debasement of the honor and dignity of another person, expressed in indecent form,

—is punishable by a fine in the amount of up to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to one month, or by compulsory work for a period of up to 120 hours, or by correctional work for a term of up to 6 months.

2. Insult contained in a public presentation, publicly demonstrated work or mass media,

—is punishable by a fine in the amount of up to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 2 months, or by compulsory work for a period of up to 180 hours, or by correctional work for a term of up to one year.

CHAPTER 18. CRIMES AGAINST THE SEXUAL INVIOLABILITY AND SEXUAL FREEDOM OF THE INDIVIDUAL

Article 131. Rape

1. Rape, that is sexual relations with application of force or with threat of its application to the victim or to other persons, or by making use of the helpless state of the victim,

—is punishable by imprisonment for a term of from 3 to 6 years.

2. Rape:

a) performed repeatedly or by a person who has previously committed forced acts of a sexual character;

b) performed by a group of persons, a group of persons by preliminary agreement or an organized group;

c) combined with threat of murder or infliction of grave bodily harm, as well as performed with particular cruelty in regard to the victim or to other persons;

d) entailing infection of the victim with venereal disease;

e) of a person known to be a minor,

—is punishable by imprisonment for a term of from 4 to 6 years.

3. Rape:

a) entailing death of the victim due to negligence;

b) entailing infliction of grave injury to health of the victim due to negligence, infection with HIV or other grave consequences;

c) of a victim known to under the age of 14,

—is punishable by imprisonment for a term of from 8 to 15 years.

Article 132. Forced actions of a sexual character

1. Homosexuality, lesbianism and other actions of a sexual character with application of force or with threat of its application to the victim *(male or female)*, or to other persons, or making use of the helpless state of the victim *(male or female)*,

—are punishable by imprisonment for a term of from 3 to 6 years.

2. The same actions:

a) committed repeatedly or by a person who previously committed rape;

b) committed by a group of persons, a group of persons by preliminary agreement or by an organized group;

c) associated with threat of murder or infliction of grave bodily injury, and likewise performed with particular cruelty in regard to the victim *(male or female)* or to other persons;

d) entailing infection of the victim with venereal disease;

e) performed in regard to a person who is known to be a minor *(male or female)*,

—are punishable by imprisonment for a term of from 4 to 10 years.

3. Actions specified in parts one or two of the present article, if they:

a) entailed death of the victim *(male or female)* due to negligence;

b) entailed infliction of grave harm to the health to the victim *(male or female)*, his (her) infection with HIV, or other grave consequences due to negligence;

c) were performed in regard to a person known to be under the age of 14,

—are punishable by imprisonment for a term of from 8 to 15 years.

Article 133. Compulsion to actions of a sexual character

Compulsion of a person to engage in sexual relations, homosexuality, lesbianism or to perform other actions of a sexual character by means of blackmail, threat of destruction, damage or seizure of property or with the use of the material or other dependence of the victim *(male or female)*,

—is punishable by fine in the amount of from 200 to 300 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 3 months, or by correctional work for a term of up to 2 years, or by imprisonment for a term of up to 1 year.

Article 134. Sexual relations *and other actions of a sexual nature* with a person under the age of *16*

Sexual relations, *homosexual or lesbian acts, performed by a person who has reached the age of 18 with a person who is known to be under the age of 16,*

—are punishable by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 4 years.

Article 135. Lewd conduct

Performance of lewd actions without the application of force in regard to a person known to be under the age of 14,

—is punishable by fine in the amount of from 300 to 500 times the minimal amount of the labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 3 to 5 months, or by limitation of freedom for a term of up to 2 years, or by imprisonment for a term of up to 3 years.

CHAPTER 19. CRIMES AGAINST CONSTITUTIONAL RIGHTS AND FREEDOMS OF MAN AND CITIZEN

Article 136. Violation of equal rights of citizens

1. Violation of equal rights of citizens depending on gender, race, nationality, language, origin, property and official position, place of residence, attitude toward religion, convictions, or affiliation to public associations, which impose harm upon the rights and lawful interests of citizens,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 2 years.

2. The same action, committed by a person using his official position,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of from 2 to 5 years, or by imprisonment for a term of up to 3 years.

Article 137. Violation of confidentiality of private life

1. Unlawful gathering or dissemination of information about the private life of a person, which comprises his personal or family secret, without his consent, or distribution of this information in a public presentation, publicly demonstrated work or mass media, if these actions are performed from a mercenary or other personal interest and inflict harm upon the rights and lawful interests of citizens,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 4 months.

2. The same actions, performed by a person using his official position,

—are punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of from 2 to 5 years, or by arrest for a term of from 4 to 6 months.

Article 138. Violation of the confidentiality of correspondence, telephone conversations, mail, telegraph or other communication

1. Violation of the confidentiality of correspondence, telephone conversations, mail, telegraph and other communications of citizens,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of a convicted person for a period of up to one month, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year.

2. The same action, performed by a person with the use of his official position *or with the use of special technical means intended for covert gathering of information,*

—is punishable by a fine in the amount of from 100 to 300 times the minimal amount of the labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 3 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of from 2 to 5 years, or by arrest for a term of from 2 to 4 months.

3. The unlawful production, sale or acquisition for purposes of sale of special technical means intended for covert gathering of information,

—are punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the salary or other income of the convicted person for a period of from 2 to 5 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years.

Article 139. Violation of the inviolability of residence

1. Unlawful entry into a residence performed against the will of the person living in it,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a term of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

2. The same action, performed with the application of force or with threat of its application,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 2 years.

3. Actions specified by parts one or two of the present article, performed by a person with the use of his official position,

—are punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of from 2 to 5 years, or by arrest for a term of from 2 to 4 months, or by imprisonment for a term of up to 3 years.

Article 140. Refusal to provide citizen with information

Unlawful refusal by an official to provide, in accordance with established procedure, the collected documents and materials which directly affect the rights and freedoms of a citizen, or to provide the citizen incomplete or knowingly false information, if these actions inflict harm upon the rights and legal interests of the citizen,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of from 2 to 5 years.

Article 141. Hindrance of exercising electoral rights or work of electoral commissions

1. Hindering a citizen from exercising his electoral rights or the right to participate in a referendum, and likewise hindering the work of electoral commissions or commissions on holding referenda,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year.

2. The same actions:

a) associated with bribery, fraud, application of force or threat of its application;

b) performed by a person using his official position;

c) performed by a group of persons by preliminary agreement or by an organized group,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to 5 years.

Article 142. Falsification of electoral documents, referendum documents, or incorrect vote tallying

Falsification of electoral documents, referendum documents, knowingly incorrect vote tallying or knowingly improper determination of results of elections or referenda, or violation of the secret ballot, if these actions are performed by a member of an electoral commission, initiative group or commission on holding the referendum,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 4 years.

Article 143. Violation of the labor protection regulations

1. Violation of the rules of safety technology or other labor protection regulations performed by a person charged with the responsibility of adhering to these regulations, if this entailed infliction of severe or moderately severe harm to human health due to negligence,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

2. The same action, entailing death of a person due to negligence,

—is punishable by imprisonment for a term of up to 5 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 144. Hindrance of lawful professional activity of journalists

1. Hindering the lawful professional activity of journalists by means of coercing them to disseminate or to refuse to disseminate information,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the salary or other income of the convicted person for a period of up to one month, or by compulsory work for a term of up to 180 hours, or by correctional work for a term of up to 1 year.

2. The same action, performed by a person with the use of his official position,

—is punishable by correctional work for a term of up to 2 years, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 145. Unjustified refusal to hire or unjustified dismissal of a pregnant woman or woman with children under 3 years of age

Unjustified refusal to hire for work or unjustified dismissal of a woman due to her pregnancy, and likewise unjustified refusal to hire for work or unjustified dismissal from work of a woman who has children under 3 years of age, for these motives,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by compulsory work for a period of from 120 to 180 hours.

Article 146. Violation of authorship and related rights

1. Unlawful use of objects of authorship right or related rights, and likewise the appropriation of authorship, if these actions inflicted great loss,

—are punishable by a fine in the amount of from 200 to 400 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 4 months, or by compulsory work for a period of from 180 to 240 hours, or by imprisonment for a term of up to 2 years.

2. The same actions, performed repeatedly or by a group of persons by preliminary agreement or by an organized group,

—are punishable by a fine in the amount of from 400 to 800 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 4 to 8 months, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 5 years.

Article 147. Violation of inventor's and patent rights

1. Unlawful use of an invention, working model or industrial prototype, divulgence of the essence of an invention, working model or industrial prototype without the consent of the author or declarant prior to official publication of information about them, appropriation of authorship or compulsion to co-authorship, if these actions inflicted great loss,

—are punishable by a fine in the amount of from 200 to 400 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 4 months, or by compulsory work for a period of from 180 to 240 hours, or by imprisonment for a term of up to 2 years.

2. The same actions, performed repeatedly or by a group of persons by preliminary agreement, or by an organized group,

—are punishable by a fine in the amount of from 400 to 800 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 4 to 8 months, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 5 years.

Article 148. Hindering implementation of right to freedom of conscience and religious confession

Unlawful hindrance of the activity of religious organizations or performance of religious rites,

—is punishable by a fine in the amount of up to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 2 months, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

Article 149. Hindrance to holding gathering, meeting, demonstration, march, picketing, or to participating in such

Unlawful hindrance to holding a gathering, meeting, demonstration, march, picketing, or to participation in such, or compulsion to participate in them, if these actions are performed by an official with the use of his official position or with the application of force or threat of its application,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

CHAPTER 20. CRIMES AGAINST THE FAMILY AND MINORS

Article 150. Involvement of a minor in commission of a crime

1. Involvement of a minor in commission of a crime by means of promises, deceit, threats or other means, performed by a person who has reached the age of 18,

—is punishable by imprisonment for a term of up to *5 years.*

2. The same action, performed by a parent, pedagog or other person who is charged by law with the responsibility for the upbringing of the minor,

—is punishable by imprisonment for a term of up to *6 years,* with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

3. Actions specified in parts one or two of the present article, performed with the application of force or with threat of its application,

—are punishable by imprisonment for a term of *from 2 to 7 years..*

4. Actions specified by parts one, two or three of the present article, associated with the involvement of a minor in a criminal group or in commission of a grave or especially grave crime,

—are punishable by imprisonment for a term of from 5 to 8 years.

Article 151. Involvement of a minor in commission of anti-social actions

1. Involvement of a minor in the systematic use of alcoholic beverages, stupefying substances, engaging in prostitution, vagrancy or begging,

—is punishable by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to *4 years.*

2. The same action, performed by a parent, pedagog or other person who is charged by law with the responsibility for upbringing of the minor,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to *5 years,* with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

3. Actions specified in parts one or two of the present article, performed repeatedly or with the application of force or with threat of its application,

—are punishable by imprisonment for a term of up to *6 years.*

Article 152. Trade in children

1. Buying and selling a minor, or performing any deals in regard to a minor in the form of his transfer and ownership of him,

—are punishable by compulwory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 5 years.

2. The same actions, performed:

a) repeatedly;

b) in regard to two or more minors;

c) by a group of persons by preliminary agreement or by an organized group;

d) by a person who uses his official position;

e) with unlawful summoning of the minor abroad or his unlawful return from abroad;

f) for the purpose of involving the minor in commission of a crime or other anti-social actions;

g) for the purpose of removing organs or tissues for transplantation from the minor,

—are punishable by imprisonment for a term of from 3 to 10 years.

3. Actions specified in parts one or two of the present article, which through negligence entail the death of the minor or other grave consequences,

—are punishable by imprisonment for a term of from 5 to 15 years.

Article 153. Substitution of child

Substitution [(switching)] of a child, performed from mercenary or other base motives,

—is punishable by imprisonment for a term of up to 5 years, with a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months.

Article 154. Illegal adoption

Illegal actions in adoption of children, their transfer to patronage (guardianship), to upbringing in the families of citizens, performed repeatedly or from mercenary motives,

—are punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 6 months.

Article 155. Divulging confidence of adoption

Divulging the confidence of adoption contrary to the will of the adoptive parent, performed by a person who is obligated to keep the fact of adoption as an official or professional secret, or by some other person out of mercenary or other base motives,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 4 months with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 156. Failure to fulfill responsibilities on upbringing of a minor

Failure to fulfill or improper fulfillment of responsibilities on upbringing of a minor by a parent or other person charged with these responsibilities, and likewise by a pedagog or other worker of an educational, tutorship, *health treatment or other institution which is responsible for ensuring supervision of the minor*, if this action is associated with harsh treatment of the minor,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 yeas, or without such.

Article 157. Malicious evasion of paying support for children or disabled parents

1. Malicious evasion by a parent from payment of court-ordered funds for support of minor children, and likewise disabled children who have reached the age of 18,

—is punishable by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

2. Malicious evasion by adult able-bodied children from payment of court-ordered funds for support of disabled parents,

—is punishable by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

SECTION VIII. ECONOMIC CRIMES

CHAPTER 21. CRIMES AGAINST PROPERTY

Article 158. Theft

1. Theft, that is the secret misappropriation of someone else's property,

—is punishable by a fine in the amount of from 200 to 700 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 7 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 3 years.

2. Theft, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with unlawful entry into a residence, *building or other storage facility;*

d) with infliction of significant loss upon a citizen,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of *from 2 to 6 years* and with a fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

3. Theft, performed:

a) by an organized group;

b) in large amount;

c) by a person who has two or more prior convictions for misappropriation or extortion,

—is punishable by imprisonment for a term of *from 5 to 10 years,* with confiscation of property or without such.

Notes:

1. In the articles of the present Code, misappropriation is understood as the performance, with mercenary purpose, of the unlawful uncompensated removal and (or) turnover of someone else's property in favor of the guilty party or other persons who have inflicted loss upon the owner or other holder of this property.

2. In the articles of the present chapter, large amount is understood to be the value of property which exceeds by 500 times the amount of the minimal labor wage established by the legislation of the Russian Federation at the moment of commission of the crime.

3. In Articles 158-166 of the present Code, "repeated," is understood to mean the performance of a crime, if it was preceded by the commission of one or more crimes specified by these articles, as well as by *Articles 209, 221, 226 and* 229 of the present Code.

4. A person having prior conviction for misappropriation or extortion, in the articles of the present chapter, as well as in other articles of the present Code, is understood to be a person who has prior conviction for one or several crimes specified in Articles 158-164, *209, 221, 226 and 229* of the present Code.

Article 159. Fraud

1. Fraud, that is misappropriation of someone else's property or acquisition of the right to someone else's property by means of deceit or abuse of trust,

—is punishable by a fine in the amount of from 200 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 7 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 3 years.

2. Fraud, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) by a person with the use of his official position;

d) with infliction of significant loss upon a citizen,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of *from 2 to 6 years* and with fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of up to 1 month, or without such.

3. Fraud, performed:

a) by an organized group;

b) in large amount;

c) by a person who has two or more prior convictions for misappropriation or extortion,

—is punishable by imprisonment for a term of *from 5 to 10 years,* with confiscation of property or without such.

Article 160. Misappropriation or embezzlement

1. Misappropriation or embezzlement, that is the appropriation of someone else's property which has been entrusted to the guilty party,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by compulsory work for a term of from 120 to 180 hours, or by correctional work for a term of from 6 months to 1 year, *or by imprisonment for a term of up to 3 years.*.

2. The same actions, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) by a person with the use of his official position;

d) with infliction of significant loss upon the citizen,

—is punishable by a fine in the amount of from 500 to 1,000 times the minimal amounts of the labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 months to 1 year, or by deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 5 years, or by imprisonment for a term of *from 2 to 6 years* and with fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

3. Actions specified in parts one or two of the present article, if they are performed:

a) by an organized group;

b) in large amount;

c) by a person who has two or more prior convictions for misappropriation or extortion,

—are punishable by imprisonment for a term of *from 5 to 10 years,* with confiscation of property or without such.

Article 161. Robbery

1. Robbery, that is the open misappropriation of someone else's property,

—is punishable [by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by compulsory work for a period of from 180 to 240 hours, or] by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 4 years.

2. Robbery, committed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with unlawful entry into a residence, *building or other storage facility;*

d) with application of force, not dangerous to life or health, or with threat of application of such force;

e) with infliction of significant loss upon a citizen,

—is punishable by imprisonment for a term of *from 3 to 7 years* and with fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

3. Robbery, committed:

a) by an organized group;

b) in large amount;

c) by a person with two or more prior convictions for misappropriation or extortion,

—is punishable by imprisonment for a term of *from 6 to 12 years,* with confiscation of property.

Article 162. Assault with robbery

1. Assault with robbery, that is an attack for the purpose of misappropriating someone else's property, performed with application of force dangerous to life or health, or with threat of application of such force,

—is punishable by imprisonment for a term of from 3 to 8 years, with confiscation of property or without such.

2. Assault with robbery, committed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with unlawful entry into a residence, *building or other storage facility;*

d) with application of weapons or objects used as weapons,

—is punishable by imprisonment for a term of from 7 to 12 years, with confiscation of property.

3. Assault with robbery, committed:

a) by an organized group;

b) for the purpose of gaining possession of property in large amount;

c) with infliction of grave harm to the health of the victim;

d) by a person with two or more prior convictions for misappropriation or extortion,

—is punishable by imprisonment for a term of from 8 to 15 years, with confiscation of property.

Article 163. Extortion

1. Extortion, that is the demand to hand over someone else's property or rights to property or to commit other actions of a property character under threat of application of force or destruction or damage to someone else's property, and likewise under threat of dissemination of information defaming the victim or his dear ones, or other information which may inflict significant harm upon the rights or lawful interests of the victim or his dear ones,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to 4 years with a fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to one month, or without such.

2. Extortion, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with application of force,

—is punishable by imprisonment for a term of *from 3 to 7 years,* with confiscation of property or without such.

3. Extortion, performed:

a) by an organized group;

b) for the purpose of obtaining property in large amount;

c) with infliction of grave harm to health of the victim;

d) by a person with two or more prior convictions for misappropriation or extortion,

—is punishable by imprisonment for a term of from 7 to 15 years, with confiscation of property.

Article 164. Misappropriation of objects having particular value

1. Misappropriation of objects or documents which have particular historical, scientific, artistic or cultural value, regardless of the method of misappropriation,

—is punishable by imprisonment for a term of from 6 to 10 years, with confiscation of property or without such.

2. The same action:

a) performed by a group of persons by preliminary agreement or by an organized group;

b) performed repeatedly;

c) entailing destruction, spoilage or ruination of objects or documents indicated in part one of the present article,

—is punishable by imprisonment for a term of from 8 to 15 years, with confiscation of property.

Article 165. Infliction of property loss by means of fraud or misuse of trust

1. Infliction of property loss upon an owner or other holder of property by means of fraud or abuse of trust, in the absence of indications of misappropriation,

—is punishable by a fine in the amount of up to 200 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to 2 months, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 4 months, or by imprisonment for a term of up to *2 years.*

2. The same action, performed by a group of persons by preliminary agreement or repeatedly,

—is punishable by a fine in the amount of from 400 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted persons for a period of from 4 to 8 months, or by imprisonment for a term of up to 3 years, with fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

3. Actions specified by parts one or two of the present article:

a) committed by an organized group;

b) inflicting great loss;

c) performed by a person with two or more prior convictions for misappropriation, extortion or infliction of property loss by means of fraud or abuse of trust,

—are punishable by imprisonment for a term of from 2 to 5 years, with a fine in the amount of up to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 months, or without such.

Article 166. Unlawful possession of an automobile or other transport means without the purpose of misappropriation

1. Unlawful possession of an automobile or other transport means without the purpose of misappropriation (hijacking),

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 3 years.

2. The same action, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with application of force not posing danger to life or health, or with threat of application of such force,

—is punishable by imprisonment for a term of from 3 to 7 years.

3. Actions specified in parts one or two of the present article, performed by an organized group of inflicting great loss, [or performed with the application of force posing danger to life or health, or with threat of application of such force,]

—are punishable by imprisonment for a term of from 5 to 10 years.

4. Actions specified in parts one, two or three of the present article, performed with application of force posing danger to life or health, or with threat of application of such force,

—are punishable by imprisonment for a term of from 6 to 12 years.

Article 167. Willful destruction or damage to property

1. Willful destruction or damage to someone else's property, if this entails infliction of significant loss,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 100 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months, or by imprisonment for a term of up to 2 years.

2. The same actions, performed by means of arson, explosion or other generally dangerous method, or entailing death of a person or other grave consequences arising from negligence,

—are punishable by imprisonment for a term of up to 5 years.

Article 168. Destruction or damage to property through negligence

1. Destruction or damage to someone else's property in large amount, performed through negligence,

—is punishable by a fine in the amount of up to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 2 months, or by correctional work for a term of up to 1 year, or by imprisonment for a term of up to 2 years.

2. The same actions, performed by means of careless use of fire or other sources of increased danger, or entailing grave consequences,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 2 years.

CHAPTER 22. CRIMES IN THE SPHERE OF ECONOMIC ACTIVITY

Article 169. Hindrance to lawful entrepreneurial activity

1. Unlawful refusal to register an individual entrepreneur or commercial organization or evasion of their registration; unlawful refusal to issue a special permit (license) to perform a certain activity or evasion from issuing it; limitation of the rights and lawful interests of the individual entrepreneur or commercial organization depending on the organizational-legal form or forms of ownership, and likewise the limitation of independence or other unlawful interference in the activity of an individual entrepreneur or commercial organization, if these actions are performed by an official utilizing his official position,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, with a fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 120 to 180 hours.

2. The same actions, performed in violation of a court statute which has gone into legal effect, and likewise inflicting great loss,

—are punishable by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, with a fine in the amount of up to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years.

Article 170. Registration of unlawful land deals

Registration of knowingly unlawful land deals, distortion of reporting data of the State Land Cadastre, and likewise intentional understatement of the amounts of payment for land, if these actions were performed out of mercenary or other personal interest by an official with the use of his official position,

—are punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by compulsory work for a period of from 120 to 180 hours.

Article 171. Unlawful entrepreneurship

1. Performance of entrepreneurial activity without registration or without special permission (license) in cases when such permission (license) is mandatory, *or in violation of the conditions of licensing*, if this action inflicted great loss *to citizens, organizations or the state, or is associated with extraction of income in large amount,*

—is punishable by a fine in the amount of from *300 to 500 times* the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from *3 to 5 months*, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of *up to 3 years*.

2. The same action:

a) performed by an organized group;

b) associated with extraction of income in especially large amount;

c) performed by a person with prior conviction for illegal entrepreneurship or unlawful banking activity,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to *5 years* and with fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

Note. In Articles 171 and 172 of the present Code, income in large amount is understood to be income whose sum exceeds 200 times the amount of the minimal labor wage. Income in especially large amount is understood to be income whose sum exceeds 500 times the amount of the minimal labor wage.

Article 172. Illegal banking activity

1. Performance of banking activity (banking operations) without registration or without special permission (license) in cases when such permission (license) is mandatory, *or in violation of the conditions of licensing*, if this action inflicted great loss *to citizens, organizations or the state, or if it is associated with extraction of income in large amount.*,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a term of up to 4 years with fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the wage or other income of the convicted person for a period of up to 1 month, or without such.

2. The same action:

a) performed by an organized group;

b) associated with extraction of income in especially large amount;

c) performed by a person with prior conviction for illegal banking activity or illegal entrepreneurship,

—is punishable by imprisonment for a term of from 3 to 7 years, with confiscation of property or without such.

Article 173. False entrepreneurship

False entrepreneurship, that is the creation of a commercial organization without the intention of implementing entrepreneurial or banking activity, which has for its purpose to obtain credits, to receive exemption from taxes, to extract other property benefit or to conceal prohibited activity which inflicts great loss *upon citizens, organizations or the state,*

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 4 years, with fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

Article 174. Legalization (laundering) of monetary funds or property acquired by illegal means

1. Performance of financial operations and other deals with monetary means or property acquired in a knowingly illegal manner, and likewise the use of the said funds for performing entrepreneurial or other economic activity— is punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 4 years with fine in the amount of up to 100 times the minimal amount of the labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

2. The same actions, performed:

a) by a group of persons with preliminary agreement;

b) repeatedly;

c) by a person with the use of his official position,

—are punishable by imprisonment for a term of *from 4 to 8 years,* [with fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or without such] *with confiscation of property or without such.*

3. Actions specified in parts one or two of the present article, performed by an organized group *or in large amount,*

—are punishable by imprisonment for a term of *from 7 to 10 years,* with confiscation of property or without such.

Article 175. Acquisition or sale of property knowingly acquired by criminal means

1. Acquisition or sale of property known to have been acquired by criminal means, and which is not promised ahead of time,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, *or by imprisonment for a term of up to 2 years.*.

2. The same actions, performed:

a) by a group of persons by preliminary agreement;

b) in regard to an automobile or other property in large amount;

c) by a person with prior conviction for misappropriation, extortion or acquisition or sale of property known to have been acquired by criminal means,

—are punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to *5 years* with a fine in the amount of up to 50 times the minimal amounts of the labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month.

3. Actions specified in parts one or two of the present article, performed by an organized group *or by a person with the use of his official position,*,

—are punishable by imprisonment for a term of *from 3 to 7 years* with a fine in the amount of up to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month.

Article 176. Obtaining credit by fraudulent means

1. Obtaining credit or preferential conditions of credit by an individual entrepreneur or manager of an organization by means of presenting the bank or other creditor knowingly false information on the economic status or financial condition of an individual entrepreneur or organization, if this action inflicted great loss,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of *from 4 to 6 months*, or by imprisonment for a term of *from 2 to 5 years.*

2. *Unlawful receipt of state special-purpose credit, and likewise its use for other than the intended purpose, if these actions have caused great loss to citizens, organizations or the state,*

—is punishable by a fine in the amount of from 500 to 700 times the minimal amounts of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of from 2 to 5 years.

Article 177. Malicious evasion of repayment of credit indebtedness

Malicious evasion by the manager of an organization or a citizen from repayment of credit indebtedness in large amount, *or from payment for securities,* after the appropriate judicial statute has gone into legal effect,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years.

Note. Credit indebtedness in large amount is understood to be the indebtedness of a citizen in a sum exceeding 500 times the amount of the minimal labor wage, and of an organization—in a sum exceeding 2,500 times the amount of the minimal labor wage.

Article 178. Monopolistic actions and limitation of competition

1. Monopolistic actions performed by means of establishing a monopoly of high or a monopoly of low prices, and likewise limitation of competition by means of agreement or coordinated actions directed at division of the market, limitation of access to the market, removal of other subjects of economic activity from it, establishing and maintaining unified prices,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 4 to 6 months, *or by imprisonment for a term of up to 2 years.*.

2. The same actions, performed repeatedly or by a group of persons by preliminary agreement or by an organized group,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of *from 2 to 5 years.*

3. Actions specified by parts one or two of the present article, performed with application of force or with threat of its application, and likewise with destruction or damage to someone else's property or with threat of its destruction or damage, in the absence of indications of extortion,

—are punishable by imprisonment for a term of *from 3 to 7 years, with confiscation of property or without such.*

Article 179. Compulsion to conclude a deal or to refuse its conclusion

1. Compulsion to conclude a deal or to refuse it under the threat of application of force, destruction or damage to someone else's property, and likewise of dissemination of information which may inflict significant harm upon the rights and lawful interests of the victim or his dear one, in the absence of indications of extortion,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years with a fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

2. The same act, performed:

a) repeatedly;

b) with application of force;

c) by an organized group,

—is punishable by imprisonment for a term of from 5 to 10 years.

Article 180. Unlawful use of trademark

1. Unlawful use of someone else's trademark, sign of service, name of place of origin of goods or similar designations for similar goods, if this action is performed repeatedly or inflicts great loss,

—is punishable by a fine in the amount of from 200 to 400 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 4 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of up to 2 years.

2. Unlawful use of warning markings in regard to a trademark *not*registered in the Russian Federation or name of place of origin of goods, if this action is performed repeatedly or inflicts great harm,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year.

Article 181. Violation of rules of manufacture and use of state assay marks

1. Unsanctioned manufacture, sale or use, and likewise counterfeiting, of a state assay mark, performed out of mercenary or other personal interests,

—is punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the wages or other income of the

convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 3 years.

2. The same actions, performed repeatedly or by an organized group,

—are punishable by imprisonment for a term of up to 5 years.

Article 182. Knowingly false advertising

Use of knowingly false information in an advertisement regarding goods, work or services, as well as their manufacturers (executors, sellers) performed from mercenery interest and inflicting significant loss,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

Article 183. Unlawful receipt and dissemination of information comprising a commercial or bank secret

1. Gathering information which comprises a commercial or bank secret by means of misappropriation of documents, bribery or threats, and likewise by other unlawful means for the purpose of disseminating or unlawfully using this information,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by imprisonment for a term of up to 2 years.

2. Unlawful dissemination or use of information comprising a commercial or bank secret, without the consent of its owner, performed from mercenary or other personal interest and inflicting great loss,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 3 years with a fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

Article 184. Bribery of participants and organizers of professional sporting events and exhibition commercial competitions

1. Bribery of athletes, sporting judges, trainers, heads of teams and other participants or organizers of professional sporting competitions, and likewise organizers or members of the jury of exhibition commercial competitions, for the purpose of influencing the results of these matches or competitions,

—is punishable by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of from 6 months to 1 year, or by arrest for a term of up to 3 months.

2. The same action, performed repeatedly or by an organized group,

—is punishable by imprisonment for a term of up to 5 years.

3. Unlawful receipt of money, securities or other property by athletes, given to them for the purpose of influencing the results of the said competitions, and likewise the unlawful use of services of a property character by athletes, granted to them for the same purpose,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by arrest for a term of from 4 to 6 months.

4. Unlawful receipt of money, securities or other property, unlawful use of services of a property character by sports judges, trainers, heads of teams and other participants or organizers of professional sporting competitions, and likewise organizers or members of the jury of exhibition commercial competitions for the purpose indicated in part three of the present article,

—is punishable by imprisonment for a term of up to 2 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years.

Article 185. Abuses in issuance of securities (emission)

Introducing knowingly unreliable information into the emission prospectus of securities, and likewise approval of an emission prospectus which is known to contain unreliable information, or approval of results of emission known to be unreliable, if these actions entailed infliction of great loss,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 year to 2 years.

Article 186. Making and selling counterfeit money or securities

1. Making for the purpose of sale or sale of counterfeit bank notes of the Central Bank of the Russian Federation, metallic coin, state securities and other securities in the currency of the Russian Federation or foreign currency, or securities in foreign currency,

—is punishable by imprisonment for a term of from 5 to 8 years, with confiscation of property or without such.

2. The same actions, performed in large amount or by a person with prior conviction for making or selling counterfeit money or securities,

—is punishable by imprisonment for a term of from 7 to 12 years, with confiscation of property.

3. Actions specified in parts one or two of the present article, performed by an organized group,

—are punishable by imprisonment for a term of from 8 to 15 years, with confiscation of property.

Article 187. Manufacture or sale of counterfeit credit or accounting cards and other payment documents

1. Manufacture for the purpose of sale or sale of counterfeit credit or accounting cards, and likewise other payment documents which are not securities,

—is punishable by imprisonment for a term of from 2 to 6 years, with fine in the amount of from 500 to 700 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months.

2. The same actions, performed repeatedly or by an organized group,

—are punishable by imprisonment for a term of from 4 to 7 years, with confiscation of property.

Article 188. Contraband

1. Contraband, that is movement *in large amount* across the customs boundary of the Russian Federation *of goods or other objects, with the exception of those specified in part two of the present article,* performed in avoidance of or with concealment from customs control, or with fraudulent use of documents or means of customs identification, or associated with *non-declaration or false declaration,*

—is punishable by imprisonment for a term of up to 5 years.

2. Movement across the customs boundary of the Russian Federation of narcotic substances, psychotrophic, strong-acting, poisonous, toxic, radioactive or explosive substances; arms; explosive devices, firearms or munitions; nuclear, chemical, biological and other types of mass destruction weapons; materials and equipment which may be used in making weapons of mass destruction and in regard to which special rules of movement across the customs boundary of the Russian Federation have been established; strategically important raw goods and cultural valuables in regard to which special rules of movement across the customs boundary of the Russian Federation have been established, *if this action is performed in avoidance of or with concealment from customs control, or with the fraudulent use of documents or means of customs identification or is associated with non-declaration or false declaration,*

—is punishable by imprisonment for a term of from 3 to 7 years, *with confiscation of property or without such.*

3. Actions specified in parts one or two of the present article and performed:

a) repeatedly;

b) by an official with the use of his official position;

c) with application of force to the person implementing customs control,

—are punishable by imprisonment for a term of from 5 to 10 years, with confiscation of property or without such.

4. Actions specified in parts one, two *or three* of the present article, performed by an organized group,

—are punishable by imprisonment for a term of from 7 to 12 years, with confiscation of property.

Note. *An action specified in part one of the present article is deemed to have been performed in large amount if the value of the transported goods exceeds 200 times the minimal amount of the labor wage.*

Article 189. Unlawful export of technologies, scientific-technical information and services used in making weapons of mass destruction, arms and military technology

Unlawful export of technologies, scientific-technical information and services which may be used in making weapons of mass destruction, means of their delivery, arms and military technology and in regard to which special export control has been established,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the labor wage or other income of a convicted person for a period of from 7 months to

1 year, or by imprisonment for a term of from 3 to 7 years.

Article 190. Failure to return to the territory of the Russian Federation objects of artistic, historical and archeological wealth of the peoples of the Russian Federation and foreign countries

Failure to return within the established period to the territory of the Russian Federation any objects of artistic, historical and archeological wealth of the peoples of the Russian Federation and foreign countries, which have been removed from its confines, if such return is mandatory in accordance with the legislation of the Russian Federation,

—is punishable by imprisonment for a term of up to 8 years with confiscation of property, or without such.

Article 191. Unlawful circulation of precious metals, natural precious stones or pearls

1. Performing a deal associated with precious metals, natural precious stones or pearls in violation of the rules established by the legislation of the Russian Federation, *and likewise the unlawful storage, transport or shipment of precious metals, natural precious stones or pearls in any form or state, with the exception or jewelry and household goods and scrap of such goods,*

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of up to 2 years, or by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to 3 years.

2. The same actions, performed:

a) by a person with prior conviction for unlawful *circulation of precious metals, natural precious stones or pearls;*

b) in large amount;

c) by an organized group,

—is punishable by imprisonment for a term of from 5 to 10 years, with confiscation of property or without such.

Note. *Actions specified in the present article are deemed to have been performed in large amount if the value of the precious metals, natural precious stones or pearls in regard to which the unlawful circulation was performed exceeds 500 times the minimal amounts of the labor wage.*

Article 192. Violation of the rules of surrender of precious metals and precious stones to the state

Evasion from mandatory surrender for refining or mandatory sale to the state of precious metals or precious stones mined from the depths, obtained from secondary raw materials, and likewise picked up and found, if this action is performed in large amount,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 5 years.

Note: Violation of the rules of surrender or sale to the state of precious metals and precious stones is deemed to have been performed in large amount if the value of the objects indicated in the present article which are not surrendered or sold to the state exceeds *500* times the amount of the minimal labor wage.

Article 193. Failure to return funds in foreign currency from abroad

Failure by the manager of an organization to return funds in foreign currency from abroad in large amount, which, in accordance with the legislation of the Russian Federation, are subject to mandatory transfer to accounts in an authorized bank of the Russian Federation,

—is punishable by imprisonment for a term of up to 3 years.

***Note.** The action specified in the present article is deemed to have been performed in large amount if the sum of the unreturned funds in foreign currency exceeds 10,000 times the minimal amount of the labor wage.*

Article 194. Evasion of payment of customs duties

1. Evasion of payment of customs duties in large amount,

—is punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by compulsory work for a term of from 120 to 180 hours.

2. The same action, performed repeatedly,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to 2 years.

Note: Evasion of payment of customs duties is deemed to be performed in large amount if the value of the unpaid customs duties exceeds *1,000 times* the amount of the minimal labor wage.

Article 195. Unlawful actions during bankruptcy

1. Concealment of property or property obligations; information on property, its size, location or other information on property; transfer of property to another owner; cession or destruction of property, and likewise concealment, destruction or falsification of bookkeeping and other accounting documents reflecting economic activity, if these actions are performed by the manager or owner of a debtor organization or by an individual entrepreneur during bankruptcy or in anticipation of bankruptcy, and inflicted great loss,

—are punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 weeks with a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months.

2. Unlawful satisfaction of property demands of individual creditors by the manager or owner of a debtor organization or individual entrepreneur, knowing of his actual insolvency (bankruptcy), and knowing that this poses a detriment to other creditors, and likewise the acceptance of such satisfaction by a creditor who knows about the preference being given to him by the insolvent debtor to the detriment of other creditors, if these actions inflicted great loss,

—are punishable by limitation of freedom for a term of up to 2 years, or by arrest for a term of from 2 to 4 months, or by imprisonment for a term of up to 1 year with fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or without such.

Article 196. Premeditated bankruptcy

Premeditated bankruptcy, that is the intentional creation or increase of insolvency performed by the manager or owner of a commercial organization, and likewise by an individual entrepreneur in his personal interests or in the interests of other persons, inflicting great loss or other grave consequences,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a term of up to *6 years* with fine in the amount of up to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

Article 197. Fictitious bankruptcy

Fictitious bankruptcy, that is knowingly false declaration of insolvency by the manager or owner of a commercial organization, and likewise by an individual entrepreneur, for the purpose of confusing creditors and receiving extensions or time payment plans on the payments due the creditors, or markdowns from the debts, and likewise for non-payment of debts, if this action inflicts great loss,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a term of up to *6 years* with a fine in the amount of up to 100 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or without such.

Article 198. Evasion of tax payment by a citizen

1. Evasion of tax payment by a citizen by means of not filing an income declaration in cases when filing of the declaration is mandatory, or inclusion in the declaration knowingly distorted data on income or expenditures, performed in large amount,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for the period of from 2 to 5 months, or by compulsory work for a period of from 180 to 240 hours, *or by imprisonment for a term of up to 1 year.*

1. The same action, performed by a person with prior conviction for evasion of tax payment, or performed in especially large amount,

—is punishable by a fine in the amount of from 500 to 1,000 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 months to 1 year, or by imprisonment for a term of up to 3 years.

Note. Evasion of tax payment by a citizen is deemed to have been committed in large amount if the sum of the unpaid tax exceeds 200 times the amount of the minimal labor wage, *and in especially large amount—500 times the minimal amount of the labor wage.*

Article 199. Evasion of tax [and other mandatory] payments by organizations

1. Evasion of tax [or other mandatory] payments [established by law] by organizations, by means of including in their bookkeeping documents knowingly distorted data on income or expenditures or by means of concealing other objects of taxation, performed in large amount,

—is punishable by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, or by arrest for a term of from 4 to 6 months, *or by imprisonment for a term of up to 3 years.*

2. The same action, performed repeatedly,

—is punishable by imprisonment for a term of *up to 5 years,* with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

Note. Evasion of tax [or other mandatory] payments by organizations is deemed to have been performed in large amount if the sum of the unpaid tax [or other mandatory] payment exceeds *1,000 times* the amount of the minimal labor wage.

Article 200. Consumer fraud

1. Mismeasuring, misweighing, miscounting, deceiving customers regarding the consumer properties or qualities of goods (service) or other consumer fraud in organizations performing the sale of goods or provision of services to the public, and likewise by citizens registered as individual entrepreneurs in the sphere of trade (services), if these actions are performed in considerable amount,

—are punishable by a fine in the amount of from 100 to 200 times the amount of the minimal wage or in the amount of the labor wage or other income of the convicted person for a period of 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years.

2. The same actions, performed:

a) by a person with prior conviction for consumer fraud;

b) by a group of persons by preliminary agreement or by an organized group;

c) in large amount,

—are punishable by imprisonment for a term of up to 2 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

Note. Consumer fraud in significant amount is deemed to be fraud inflicting loss upon consumers in a sum exceeding one-tenth of the minimal amount of the labor wage, in large amount—in a sum no less than one minimal labor wage.

CHAPTER 23. CRIMES AGAINST THE INTERESTS OF SERVICE IN COMMERCIAL AND OTHER ORGANIZATIONS

Article 201. Misuse of authority

1. Use by *a person fulling administrative functions* in a commercial or other organization of his powers and authorities contrary to the lawful interests of this organization and for the purpose of extracting gain and advantage for himself or other persons, or for inflicting harm upon other persons, if this *action entailed significant harm to the rights and lawful interests of citizens or organizations or to the lawfully protected interests of society or the state,*

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to *3 years.*

2. The same action, if it entails grave consequences,

—is punishable by a fine in the amount of from 500 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 months to 1 year, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 5 years.

Note. 1. *Persons fulfilling administrative functions in* commercial and other organizations in the articles of the present chapter are deemed to be persons permanently, temporarily or by special authority fulfilling *organizational-managerial or administrative-economic functions* in commercial organizations, regardless of their forms of ownership, as well as in non-commercial organizations which are not state agencies, agencies of local self-government, state or municipal institutions.

2. If the action specified in the present article or other articles of the present chapter has inflicted harm upon the interests of an exclusively commercial organization which is not a state or municipal enterprise, criminal prosecution is performed at the request of this organization or with its consent.

3. If an action specified in the present article or other articles of the present chapter has inflicted harm upon the interests of other organizations, as well as upon the interests of citizens, society or the state, criminal prosecution is performed on general principles.

Article 202. Abuse of powers and authorities by private notaries and auditors

1. Use by a private notary or private auditor of his powers and authorities contrary to the tasks of his activity and for the purpose of extracting gain and advantage to himself or other persons or inflicting harm upon other persons, if this action has inflicted significant harm upon the rights and lawful interests of citizens and organizations or upon the lawfully protected interests of society or the state,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

2. The same action, performed in regard to a person who is known to be a minor or incompetent, or performed repeatedly,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 5 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

Article 203. Exceeding authority by employees of private guard and detective services

1. Exceeding authority granted in accordance with the license by the manager or employee of a private guard or detective service, contrary to the tasks of his activity, if such action is performed with the application of force or with threat of its application,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to 5 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, if it entails grave consequences,

—is punishable by imprisonment for a term of from 4 to 8 years, with deprivation of the right to occupy certain official positions or engage in certain activity for a period of up to 3 years.

Article 204. Commercial bribery

1. Unlawful transfer to an employee of a commercial or other organization of money, securities or other property, and likewise unlawful provision of services of a property character to him for performing actions (lack of action) in the interests of the giver and in connection with the official position held by said employee, [if this action inflicted significant harm upon the interests of the organization or its clients,]

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official position or engage in certain activity for a term up to 2 years, or by limitation of freedom for a term of up to 2 years, *or by imprisonment for a term of up to 2 years.*

2. The same actions, performed repeatedly or by a group of persons by preliminary agreement or by an organized group,

—are punishable by a fine in the amount of from 500 to 800 times the amounts of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to *4 years.*

3. Unlawful receipt by the employee of a commercial or other organization of money, securities or other property, and likewise the unlawful use of services of a property character in return for performing actions (lack of action) in the interests of the giver in connection with the official position held by said employee, [if these actions inflicted significant harm upon the interests of the organization or its clients,]

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 2 years, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to *3 years.*

4. Actions specified in part three of the present article, if they are:

a) performed by a group of persons by preliminary agreement or by an organized group;

b) performed repeatedly;

c) associated with extortion,

—are punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by deprivation of the right to hold certain official positions or to engage in certain activity for a period of up to 5 years, or by imprisonment for a term of up to 5 years.

***Note.** A person who has committed the acts specified in parts one or two of the present article is absolved of criminal liability if he was subjected to extortion or if said person voluntarily reported the bribe to an agency which has the right to file a criminal case.*

SECTION IX. CRIMES AGAINST PUBLIC SECURITY AND PUBLIC ORDER

CHAPTER 24. CRIMES AGAINST PUBLIC SECURITY

Article 205. Terrorism

1. Terrorism, that is the performance of explosion, arson, [shooting of firearms] or other actions creating danger of death of persons, infliction of significant property loss or onset of other socially dangerous consequences, if these actions were performed for purposes of violating public safety, frightening the population or exerting influence on adoption of decisions by the organs of authority, and likewise the threat of performance of said actions for the same purposes,

—is punishable by imprisonment for a term of from 5 to 10 years.

2. The same actions, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with use of firearms,

—are punishable by imprisonment for a term of from 8 to 15 years.

3. Actions specified in parts one or two of the present article, if they are performed by an organized group or entail death of a person or other grave consequences due to negligence,

—are punishable by imprisonment for a term of from 10 to 20 years.

Note. A person participating in preparation of an act of terrorism is excused from criminal responsibility if, by giving timely warning to the organs of authority or by some other method, he facilitates the prevention of performance of the act of terrorism, and if the actions of this person do not contain other elements of a crime.

Article 206. Taking hostages

1. Seizing or holding a person as a hostage, performed for purposes of forcing the state, organization or citizen to perform a certain action or to refrain from performance of some action as a condition of freeing the hostage,

—is punishable by imprisonment for a term of from 5 to 10 years.

2. The same actions, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with application of force dangerous to life or health;

d) with application of weapons or objects used as weapons;

e) in regard to someone who is known to be a minor;

f) in regard to a woman whom the guilty party knows to be pregnant;

g) in regard to two or more persons,

h) out of mercenary motives or for hire,

—are punishable by imprisonment for a term of *from 6* to 15 years.

3. Actions specified by parts one or two of the present article, if they are performed by an organized group or entailed the death of the person or other grave consequences due to negligence,

—are punishable by imprisonment for a term of from 8 to *20 years.*

Note. A person who voluntarily *or at the demand of the authorities* frees a hostage is excused from criminal responsibility, if his actions contain no other element of a crime.

Article 207. Knowingly false report of act of terrorism

A knowingly false report of a planned explosion, arson or other actions creating danger of death of persons, infliction of significant property loss or onset of other socially dangerous consequences,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 3 years.

Article 208. Organization of unlawful armed formation *or participation in it*

1. Creating an armed formation (association, detachment, squad or other group) not specified by federal law, and likewise leadership of such formation,

—are punishable by imprisonment for a term of from 2 to 7 years.

2. Participation in an armed formation not provided by federal law,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to 5 years.

Note. A person who has voluntarily ceased participation in an unlawful armed formation and given up his weapon is excused from criminal responsibility, if his actions do not contain any other element of a crime.

Article 209. Banditism

1. Creation of a *permanent* armed group (gang) for the purpose of attacking citizens or organizations, and likewise leadership of such group (gang),

—are punishable by imprisonment for a term of from 10 to 15 years, with confiscation of property or without such.

2. Participation in a *permanent* armed group (gang) or in attacks performed by it,

—are punishable by imprisonment for a term of from 8 to 15 years with confiscation of property or without such.

3. Actions specified by parts one or two of the present article performed with a person's use of his official position,

—are punishable by imprisonment for a term of from 12 to 20 years, with confiscation of property or without such.

Article 210. Organization of criminal association *criminal organization*

1. Creation of a criminal association *(criminal organization)* for the purpose of committing grave or especially grave crimes, and also leadership of such association *(organization)* or of the structural subdivisions entering into it, *and likewise creation of an association of organizers, leaders or other representatives or organized groups for purposes of developing plans and conditions for committing grave and especially grave crimes,*

—are punishable by imprisonment for a term of from 7 to 15 years, with confiscation of property or without such.

2. Participation in a criminal association *(criminal organization) or in an association of organizers, leaders or other representatives of organized groups,,*

—is punishable by imprisonment for a term of from 3 to 10 years, with confiscation of property or without such.

3. Actions specified in parts one or two of the present article, performed by a person with the use of his official position,

—are punishable by imprisonment for a term of from 10 to 20 years, with confiscation of property or without such.

Article 211. Hijacking aircraft, ship or railroad rolling stock

1. Hijacking an aircraft or ship, or railroad rolling stock, and likewise the seizure of such ship or stock for the purpose of hijacking,

—is punishable by imprisonment for a term of from 4 to 8 years.

The same actions, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) with application of force dangerous to life or health, or with threat of application of such force;

d) with application of weapon or objects used as a weapon,

—are punishable by imprisonment for a term of from 7 to 12 years.

2. Actions specified in parts one or two of the present article, if they are performed by an organized group or entail the death of a person or other grave consequences due to negligence,

—are punishable by imprisonment for a term of from 8 to 15 years.

Article 212. Mass unrest

1. Organization of mass unrest, accompanied by violence, pogroms, arson, destruction of property, use of firearms, explosive substances or explosive devices, and likewise staging armed resistance against representative of authority,

—are punishable by imprisonment for a term of from 4 to 10 years.

2. Participation in mass unrest specified by part one of the present article,

—is punishable by imprisonment for a term of from 3 to 8 years.

3. Appeals for active non-subordination to lawful demands of representatives of authority and for mass unrest, and likewise appeals for violence against citizens,

—are punishable by limitation of freedom for a term of up to 2 years, or by arrest for a term of from 2 to 4 months, or by imprisonment for a term of up to 3 years.

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[Public appeals to violence against citizens,]

[—are punishable by limitation of freedom for a term of up to 2 years, or by arrest for a term of from 2 to 4 months, or by imprisonment for a term of up to 3 years.]

Article 213. Hooliganism

1. Hooliganism, that is the gross violation of public order, expressing obvious lack of respect for society, accompanied by the application of force against citizens or threat of its application, and likewise destruction or damage of someone else's property,

—are punishable by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of from 6 months to 1 year, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years.

2. The same action, if it is:

a) performed by a group of persons, a group of persons by preliminary agreement or by an organized group;

b) associated with resistance against representative of authority or some other person fulfilling responsibilities on protection of public order or suppressing violation of the public order;

c) performed by a person with prior conviction for hooliganism,

—is punishable by compulsory work for a term of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by imprisonment for a term of up to 5 years.

3. Hooliganism, performed with use of weapons or objects used as weapons,

—is punishable by imprisonment for a term of from 4 to 7 years.

Article 214. Vandalism

Vandalism, that is the defacement of buildings or other structures with writing, grossly insulting to public morality, ruining property on public transport or other public places,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of from 6 months to 1 year, or by arrest for a term of up to 3 months.

Article 215. Violation of safety regulations at atomic energy facilities

1. Violation of safety regulations during the siting, planning, construction and operation of atomic energy facilities, if this might entail the death of a person or radioactive contamination of the environment,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

2. The same action, entailing death of a person, radioactive contamination of the environment or other grave consequences, due to negligence,

—is punishable by imprisonment for a term of from 4 to 10 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 216. Violation of safety regulations in performance of mining, construction or other work

1. Violation of safety regulations in performance of mining, construction or other work, if this entailed the infliction of grave or moderately grave damage to the health of a person through negligence,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term up to 3 years, or without such.

2. The same action, entailing death of a person or other grave consequences due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years or deprivation of freedom for a term of up to 10 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 217. Violation of safety regulations at explosive-hazardous facilities

1. Violation of safety regulations at explosive-hazardous facilities or in explosive-hazardous shops, if this could entail the death of a person or other grave consequences,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, entailing death of a person or other grave consequences due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years or by imprisonment for a term of up to 10 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 218. Violation of rules of accounting, storage, transport and use of explosive and highly flammable substances and pyrotechnic devices

Violation of the rules of accounting, storage, transport and use of explosive or highly flammable substances and pyrotechnic devices, and likewise the unlawful shipment of these substances through the mail or in baggage, if these actions entail grave consequences due to negligence,

—are punishable by imprisonment for a term of from 2 to 5 years.

Article 219. Violation of fire safety regulations

1. Violation of fire safety regulations, performed by a person charged with the responsibility of maintaining them, if this entailed infliction of grave or moderately grave harm to human health due to negligence,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, entailing death of a person or other grave consequences due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years or by deprivation of freedom for a term of up to 10 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 220. Unlawful handling of radioactive materials

1. Unlawful acquisition, storage, use, transfer or destruction of radioactive materials,

—is punishable by limitation of freedom for a term of up to 2 years, or by arrest for a term of up to 4 months, or by imprisonment for a term of up to 2 years.

2. The same actions, entailing death of a person or other grave consequences due to negligence,

—are punishable by limitation of freedom for a term of up to 5 years, or by imprisonment for a term of up to 10 years.

Article 221. Misappropriation or extortion of radioactive materials

1. Misappropriation or extortion of radioactive materials,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 5 years.

2. The same actions, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) by a person with the use of his official position;

d) with application of force not dangerous to life or health, or with threat of application of such force,

—are punishable by imprisonment for a term of from 4 to 7 years.

3. Actions specified in parts one or two of the present article, if they are performed:

a) by an organized group;

b) with application of force dangerous to life or health, or with threat of application of such force;

c) by a person with two or more prior convictions for misappropriation or extortion,

—are punishable by imprisonment for a term of from 5 to 10 years with confiscation of property, or without such.

Note. In the present article, and likewise in *Articles 226 and 229* of the present Code, "repeated" is considered to be commission of a crime if it was preceded by the commission of one or more crimes specified by these articles, as well as by Articles 158-164 and *209* of the present Code.

Article 222. Unlawful acquisition, *transfer*, sale, storage, transport or possession of arms, munitions, explosive substances and explosive devices

1. Unlawful acquisition, *transfer*, sale, storage, transport or possession of firearms, munitions, explosive substances or explosive devices,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to *3 years* with a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or without such.

2. The same actions, performed by a group of persons by preliminary agreement or repeatedly,

—are punishable by imprisonment for a term of up to *6 years*.

3. Actions specified in parts one or two of the present article, performed by an organized group,

—are punishable by imprisonment for a term of from 3 to *8 years*.

4. Unlawful acquisition, sale or possession of gas weapons, swords, Finnish knives or other cold steel, including missile weapons, with the exception of those areas where carrying of cold steel is considered to be a part of the national dress or is associated with the hunting trade,

—is punishable by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to *2 years* with a fine in the amount of up to 200 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of up to 2 months, or without such.

Note. A person who voluntarily gives up the objects indicated in the present article is excused from criminal responsibility, if his actions contained no other elements of a crime.

Article 223. Unlawful manufacture of weapons

1. Unlawful manufacture or repair or firearms, complement parts for them, and likewise the unlawful making of munitions, explosive substances or explosive devices,

—are punishable by imprisonment for a term of up to 3 years.

2. The same actions, performed by a group of persons by preliminary agreement or repeatedly,

—are punishable by imprisonment for a term of from 2 to 6 years.

3. Actions specified in parts one or two of the present article, performed by an organized group,

—are punishable by imprisonment for a term of from 4 to 8 years.

4. Unlawful manufacture of gas weapons, and likewise swords, Finnish knives or other cold steel, including missile weapons,

—is punishable by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years.

Note. A person who voluntarily gives up the objects indicated in the present article is excused from criminal responsibility, if his actions contain no other elements of a crime.

Article 224. Negligent storage of firearms

Negligent storage of firearms, which creates conditions for their use by another person, if this entailed grave consequences,

—is punishable by limitation of freedom for a term of up to 2 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of up to 1 year.

Article 225. Improper fulfillment of responsibilities in protection of weapons, munitions, explosive substances and explosive devices

1. Improper fulfillment of responsibilities by a person who has been charged with guarding firearms, munitions, explosive substances or explosive devices, if this entailed their misappropriation or destruction, or the onset of other grave consequences,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

2. Improper fulfillment of responsibilities in guarding nuclear, chemical, biological or other types of weapons of mass destructions or materials or equipment which may be used to make weapons of mass destruction, if this entailed grave consequences or created the threat of their onset,

—is punishable by imprisonment for a term of from 3 to 7 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years.

Article 226. Misappropriation or extortion of weapons, munitions, explosive substances and explosive devices

1. Misappropriation or extortion of firearms, complement parts for them, munitions, explosive substances or explosive devices,

—is punishable by imprisonment for a term of from 3 to 7 years.

2. Misappropriation or extortion of nuclear, chemical, biological and other types of mass destruction weapons, and likewise materials or equipment which may be used in creating weapons of mass destruction,

—are punishable by imprisonment for a term of from 5 to 10 years.

3. Actions specified by parts one or two of the present article, if they are performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) by a person using his official position;

d) with application of force not dangerous to life or health, or with threat of application of such force,

—are punishable by imprisonment for a term of from 5 to 12 years, with confiscation of property or without such.

4. Actions provided by parts one, two or three of the present article, if they are performed:

a) by an organized group;

b) with application of force dangerous to life or health, or with threat of application of such force;

c) by a person with two or more prior convictions for misappropriation or extortion,

—are punishable by imprisonment for a term of from 8 to 15 years, with confiscation of property.

Article 227. Piracy

1. Attack on a maritime or river vessel for the purpose of taking possession of someone else's property, performed with the use of force or with threat or its application,

—is punishable by imprisonment for a term of from 5 to 10 years.

2. The same action, performed repeatedly or with application of weapons or objects used as weapons,

—is punishable by imprisonment for a term of from 8 to 12 years, with confiscation of property.

3. Actions specified in parts one or two of the present article, if they are performed by an organized group or entail death of a person or other grave consequences due to negligence,

—are punishable by imprisonment for a term of from 10 to 15 years, with confiscation of property.

CHAPTER 25. CRIMES AGAINST PUBLIC HEALTH AND PUBLIC MORALITY

Article 228. Unlawful manufacture, acquisition, storage, transport, shipment or sale of narcotic or psychotrophic substances

1. Unlawful acquisition or storage, without purpose of sale, of narcotic or psychotrophic substances in large amounts,

—is punishable by imprisonment for a term of up to 3 years.

2. Unlawful acquisition or storage for purposes of sale, preparation, processing, transport, or shipment, or the sale of narcotic or psychotrophic substances,

—is punishable by imprisonment for a term of from 3 to 7 years, with confiscation of property or without such.

3. Actions specified in part two of the present article, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) in regard to narcotic or psychotrophic substances in large amounts,

—are punishable by imprisonment for a term of from 5 to 10 years, with confiscation of property or without such.

4. Actions specified in parts two or three of the present article, performed by an organized group or in regard to narcotic or psychotrophic substances in especially large amounts,

—are punishable by imprisonment for a term of from 7 to 15 years, with confiscation of property.

5. Violation of the rules of production, preparation, processing, storage, accounting, release, realization, sale, distribution, transport, shipment, acquisition, use, import, export or destruction of narcotic or psychotrophic substances, and likewise substances, instruments or equipment used for preparation of specially controlled narcotic or psychotrophic substances, if this action is performed by a person whose responsibilities include adherence to the indicated rules,

—is punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 3 years, with deprivation of the right to occupy certain official positions or engage in certain activity for a period of up to 3 years, or without such.

***Note.** A person who voluntarily surrenders narcotic or psychotrophic substances and actively facilitates the exposure or suppression of crimes associated with the unlawful circulation of narcotic or psychotrophic substances, the exposure of persons committing them, or the identification of property acquired by criminal means, is exempted from criminal liability for the said crime.*

Article 229. Misappropriation or extortion of narcotic *or psychotrophic* substances

1. Misappropriation or extortion of narcotic *or psychotrophic* substances,

—is punishable by imprisonment for a term of from *3 to 7 years.*

2. The same actions, performed:

a) by a group of persons by preliminary agreement;

b) repeatedly;

c) by a person with the use of his official position;

d) with the application of force not dangerous to life or health, or with threat of application of such force,

—are punishable by imprisonment for a term of *from 6 to 10 years, with confiscation or property or without such.*

3. Actions specified in parts one or two of the present article, if they are performed:

a) by an organized group;

b) in regard to narcotic *or psychotrophic* substances in large amounts;

c) with application of force dangerous to life or health, or with threat of application of such force;

d) by a person with two or more prior convictions for misappropriation or extortion,

—are punishable by imprisonment for a term of from 8 to 15 years, *with confiscation of property*..

Article 230. Inclining toward use of narcotic *or psychotrophic* substances

1. Inclining a person toward use of narcotic *or psychotrophic*substances,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by imprisonment for a term of *from 2 to 5 years.*

2. The same action, performed:

a) by a group of persons by preliminary agreement or by an organized group;

b) repeatedly;

c) in regard to a person who is known to be a minor or in regard to two or more persons;

d) with application of force or with threat of its application,

—is punishable by imprisonment for a term of from 3 to 8 years.

3. Actions specified in parts one or two of the present article, if they entailed death of the victim or other grave consequences due to negligence,

—are punishable by imprisonment for a term of from 6 to 12 years.

Article 231. Unlawful cultivation of prohibited plants containing narcotic substances

1. Sowing or raising of plants which are prohibited for cultivation, and likewise cultivation of varieties of hemp, poppies or other plants containing narcotic substances,

—is punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 2 years.

2. The same actions, performed:

a) by a group of persons by preliminary agreement or by an organized group;

b) repeatedly;

c) in large amount,

—are punishable by imprisonment for a term of from 3 to 8 years.

Article 232. Organization or maintenance of dens for use of narcotic *or psychotrophic* substances

1. Organization or maintenance of dens for consumption of narcotic *or psychotrophic* substances,

—is punishable by imprisonment for a term of up to 4 years.

2. The same actions, performed by an organized group,

—are punishable by imprisonment for a term of from 3 to 7 years.

Article 233. Unlawful issuance or forgery of prescriptions or other documents which give the right to obtain narcotic or psychotrophic substances

Unlawful issuance or forgery of prescriptions or other documents which give the right to receive narcotic or psychotrophic substances,

—is punishable by imprisonment for a term of up to 2 years, with deprivation of the right to occupy certain official positions or to engage in certain activity for a period of up to 3 years, or without such.

Article 234. Unlawful circulation of strong-acting or toxic substances for the purpose of sale

1. Unlawful preparation, processing, acquisition, storage, transport or shipment for purpose of sale, and likewise the unlawful sale of strong-acting or toxic substances which are not narcotic *or psychotrophic* substances, *or the equipment for their preparation or processing,*

—is punishable by imprisonment for a term of up to 3 years.

2. The same actions, performed by a group of persons by preliminary agreement or repeatedly,

—are punishable by imprisonment for a term of from 2 to 5 years.

3. Actions specified in parts one or two of the present article, performed by an organized group or in regard to strong-acting substances in large amount,

—are punishable by imprisonment for a term of from 4 to 8 years.

4. Violation of the rules of production, acquisition, storage, accounting, release, transport or shipment of strong-acting or toxic substances, if this entailed their misappropriation or infliction of other significant harm,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term up to 2 years, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 235. Unlawfully engaging in private medical practice or private pharmaceutical activity

1. Engaging in private medical practice or private pharmaceutical activity by a person who does not have a license for this type of activity, if this entails infliction of harm to the health of a person due to negligence,

—is punishable by a fine in the amount of up to 300 times the minimal amount of the labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 3 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 3 years.

2. The same action, entailing death of a person due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years or by imprisonment for the same term.

Article 236. Violation of sanitary-epidemiological regulations

1. Violation of sanitary-epidemiological regulations, entailing mass illness or poisoning of people due to negligence,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of up to 2 months, or by deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 2 years.

2. The same action, entailing death of a person due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years or by imprisonment for the same term.

Article 237. Concealment of information on circumstances creating danger to life or health of persons

1. Concealment or distortion of information on events, facts or occurrences creating a danger to the life or health of persons or to the environment, performed by a person who is responsible for providing the population with such information,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

2. The same actions, if they are performed by a person who is a state official of the Russian Federation or a state official of a subject of the Russian Federation, and likewise the head of an organ of local self-government, or if as a result of such actions there is harm inflicted upon the health of a person or other grave consequences have ensued,

—are punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage, or in the amount of the labor wage or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 5 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 238. Production or sale of goods, performance of work or provision of services which do not meet safety requirements

1. Production or sale of goods, performance of work or provision of services which do not meet the requirements for safety of health or life of consumers, and likewise the unlawful issuance or use of an official document certifying compliance of said goods, work or services to safety requirements, if these actions entailed infliction of harm to the health of a person due to negligence,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 7 months, or by limitation of freedom for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

2. The same actions, if they:

a) were performed in regard to goods, work or services intended for children under 6 years of age;

b) entailed infliction of harm to the health of two or more persons due to negligence;

c) entailed the death of a person due to negligence,

—are punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or income of the convicted persons for a period of from 7 months to 1 year, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 5 years.

3. Actions specified by parts one or two of the present article which entail the death of two or more persons due to negligence,

—are punishable by imprisonment for a term of from 4 to 10 years.

Article 239. Organization of an association encroaching on the identity and rights of citizens

1. Creation of a religious or social association whose activity is associated with violence to citizens and other infliction of harm to their health, or with motivation of citizens to reject fulfillment of their civic responsibility or to perform other unlawful actions, and likewise the leadership of such association,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or the amount of wages or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 3 years.

2. Participation in the activity of said association, and likewise propaganda of the actions specified in part one of the present article,

—are punishable by a fine in the amount of from 100 to 300 times the amount of the minimal labor wage or the wages or income of the convicted person for a period of from 1 to 3 months, or by imprisonment for a term of up to 2 years.

Article 240. Involvement in engaging in prostitution

1. Involvement in engaging in prostitution by means of application of force or threat of its application, blackmail, destruction or damage to property, or by means of fraud,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to *4 years.*

2. The same action, performed by an organized group,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted persons for a period of from 7 months to 1 year, or by imprisonment for a term of *from 3 to 6 years.*

Article 241. Organization or maintenance of dens for engaging in prostitution

Organization or maintenance of dens for engaging in prostitution,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 5 years.

Article 242. Unlawful distribution of pornographic materials or objects

Unlawful *preparation for purposes of* distribution or advertisement of pornographic materials or objects, and likewise the unlawful trade in printed matter, films, or video materials, depictions or other objects of a pornographic character,

—are punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a term of up to 2 years.

Article 243. Destruction or damage to historical and cultural monuments

1. Destruction or damage to historical or cultural monuments, nature complexes or objects taken under protection of the state, and likewise objects or documents having historical or cultural value,

—is punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 2 years.

2. The same actions, performed in regard to especially valuable objects or monuments of all-Russian significance,

—are punishable by a fine in the amount of from 700 to 1,000 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 5 years.

Article 244. Defilement of bodies of the dead and places of their burial

1. Defilement of bodies of the dead or destruction, damage or defacement of their places of burial, headstones or cemetery crypts intended for ceremonies in connection with burial of the dead or commemoration of their memory,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of wages or other income of the convicted person for a period of up to 1 months, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

2. The same actions, performed:

a) by a group of persons, a group of persons by preliminary agreement or by an organized group;

b) by motive of national, racial or religious enmity or hatred, and likewise in regard to a sculpture or architectual structure dedicated to combatting fascism or to the victims of fascism, or places of burial of participants in the struggle against fascism;

c) with application of force or with threat of its application,

—are punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by deprivation of freedom for a term of up to 3 years.

Article 245. Cruelty to animals

1. Cruelty to animals, entailing their death or mutilation, if this action is perform out of hooligan motives, or out of mercenary motives, or with application of sadistic methods, or in the presence of minors,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 6 months.

2. The same action, performed by a group of persons, a group of persons by preliminary agreement, or by an organized group, or repeatedly,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage, or in the amount of the wages or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a period of up to 2 years.

CHAPTER 26. ECOLOGICAL CRIMES

Article 246. Violation of environmental protection regulations in performance of work

Violation of the environmental protection regulations in planning, siting, building, operational introduction and operation of industrial, agricultural, scientific and other objects by persons responsible for adherence to these regulations, if this entailed significant change in the radioactive background, infliction of harm to the health of a person, mass death of animals or other grave consequences,

—is punishable by imprisonment for a term of up to 5 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 247. Violation of the rules for handling ecologically hazardous substances and waste products

1. Production of prohibited types of dangerous waste products, transport, storage, burial, use or other handling of radioactive, bacteriological or chemical substances and by-products in violation of the established regulations, if these actions created a threat of inflicting significant harm to human health or to the environment,

—are punishable by a fine in the amount of from 200 to 500 times the amounts of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by limitation of freedom for a term of up to three months, or by imprisonment for a term of up to 2 years.

2. The same actions, entailing pollution, poisoning or contamination of the environment, infliction of harm to human health or mass death of animals, and likewise performed in a zone of ecological disaster or in a zone of emergency ecological situation,

—are punishable by imprisonment for a term of up to 5 years.

3. Actions specified by parts one or two of the present article, entailing the death of a person or mass illness of people due to negligence,

—are punishable by imprisonment for a term of from 3 to 8 years.

Article 248. Violation of safety regulations in handling microbiological and other biological agents or toxins

1. Violation of the safety regulations in handling microbiological or other biological agents or toxins, if this entailed infliction of harm to human health, spread of epidemic or epizooty, or other grave consequences,

—is punishable by imprisonment for a term of up to 3 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, entailing death of a person due to negligence,

—is punishable by imprisonment for a term of from 2 to 5 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

Article 249. Violation of veterinary regulations and regulations established for combatting plant diseases and pests

1. Violation of veterinary regulations, entailing the spread or epizooty or other grave consequences,

—is punishable by correctional work for a term of up to 2 years, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 3 years.

2. Violation of rules established for combatting plant diseases and pests, entailing grave consequences,

—is punishable by correctional work for a term of up to 1 year, or by limitation of freedom for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

Article 250. Pollution of water

1. Contamination, pollution or depletion of surface and underground waters, sources of drinking water supply, or other change in their natural properties, if these actions entailed infliction of significant harm to the animal or plant world, the fish stock, forestry or agriculture,

—are punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

2. The same actions, entailing infliction of harm to human health or mass death of animals, and likewise performed on the territory or a preserve or protected zone, or in a zone of ecological disaster or in a zone of emergency ecological situation,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by imprisonment for a term of up to 3 years.

3. Actions specified in parts one or two of the present article, entailing death of a person due to negligence,

—are punishable by imprisonment for a term of from 2 to 5 years.

Article 251. Pollution of the atmosphere

1. Violation of the regulations of emitting pollutant substances into the atmosphere or violation of the

operation of facilities, structures and other objects, if this entailed pollution or other change in the natural properties of the air,

—are punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 5 years, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

2. The same actions, entailing infliction of harm to human health,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by imprisonment for a term of up to 3 years.

3. Actions specified by part one or two of the present article, entailing death of a person due to negligence,

—are punishable by imprisonment for a term of from 2 to 5 years.

Article 252. Pollution of the marine environment

1. Pollution of the marine environment from land sources or as a result of violation of the regulations for burial or dumping, from transport means or artificial structures erected at sea, any substances and materials which are harmful to human health and to living resources of the sea, or which hinder the lawful utilization of the marine environment,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, or by correctional work for a term of up to 2 years, or by arrest for a term of up to 4 months.

2. The same actions, inflicting significant harm to human health, the animal or plant world, fish reserves, the environment, recreation zones or other lawfully protected interests,

—are punishable by imprisonment for a term of up to 3 years with fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of up to 1 month.

3. Actions specified in parts one or two of the present article, entailing death of a person due to negligence,

—are punishable by imprisonment for a term of from 2 to 5 years.

Article 253. Violation of the Russian Federation legislation on the continental shelf and on the exclusive economic zone of the Russian Federation

1. Unlawful erection of structures on the continental shelf of the Russian Federation, unlawful creation of safety zones around them or in the exclusive economic zone of the Russian Federation, and likewise violation of the rules of construction, operation, protection and liquidation of the erected structures and means of ensuring safety of maritime shipping,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage, or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by correctional work for a term of up to 2 years.

2. Survey, exploration and development of the natural riches of the continental shelf of the Russian Federation or the exclusive economic zone of the Russian Federation, performed without the appropriate permission,

—is punishable by a fine in the amount of from 500 to 700 times the minimal amounts of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by correctional work for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, and without such.

Article 254. Depletion of land

1. Poisoning, pollution or other depletion of land with harmful products of economic or other activity as a result of violation of the rules of handling fertilizers, plant growth stimulators, toxic chemicals and other dangerous chemical or biological substances in the course of their storage, use and transport, entailing infliction of harm to human health and to the environment,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of wages or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by correctional work for a term of up to 2 years.

2. The same actions, performed in a zone of ecological disaster or in a zone of extraordinary ecological situation,

—are punishable by limitation of freedom for a term of up to 3 years or by imprisonment for the same term.

3. Actions specified by parts one or two of the present article, entailing death of a person due to negligence,

—are punishable by imprisonment for a term of from 2 to 5 years.

Article 255. Violation of the rules of protection and use of mineral resources

Violation of the rules of protection and application of mineral resources in planning, siting, building, operational introduction and operation of mining enterprises or underground structures not associated with the extraction of minerals, and likewise the arbitrary development of areas of mineral deposits, if these actions entailed infliction of significant loss,

—are punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by correctional work for a term of up to 2 years.

Article 256. Unlawful collection of aquatic animals and plants

1. Unlawful catching of fish, marine animals and other aquatic animals or collection of commercial marine plants, if this action is performed:

a) with infliction of great loss;

b) with application of self-propelled transport flotation device or explosive and chemical substances, electric current or other methods of mass destruction of the said aquatic animals and plants;

c) in spawning-grounds or along migration paths to them;

d) on the territory of a game preserve, reserve or in a zone of ecological disaster or a zone of emergency ecological situation,

—is punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of up to 2 years, or by arrest for a term of from 4 to 6 months.

2. Unlawful trapping of seals, sea lions or marine mammals in the open sea or in prohibited zones,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of up to 2 years, or by arrest for a term of from 3 to 6 months.

3. Actions specified in parts one or two of the present article, performed by a person using his official position or by a group of persons by preliminary agreement, or by an organized group,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 257. Violation of the rules for protection of fish reserves

Timber floating operations, construction of bridges, dams, transport of timber and other forest products from timber-cutting areas, performance of explosive or other work, and likewise operation of water intake structures and pumping mechanisms in violation of the rules of protecting fish reserves, if these actions entailed mass death of fish and other aquatic animals, destruction of their food reserves in significant amount, or other grave consequences,

—are punishable by fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by correctional work for a term of up to 2 years.

Article 258. Unlawful hunting

1. Unlawful hunting, if this action is performed:

a) with infliction of great loss;

b) with application of a mechanical transport means or aircraft, explosive substances, gases or other methods of mass destruction of birds and animals;

c) in regard to birds and animals whose hunting is totally prohibited;

d) on the territory of a preserve, game reserve, or in a zone of ecological disaster or a zone of emergency ecological situation,

—are punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of up to 2 years, or by arrest for a term of from 4 to 6 months.

2. The same action, performed by a person with the use of his official position or by a group of persons by preliminary agreement, or by an organized group,

—is punishable by a fine in the amount of from 500 to 700 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 259. Destruction of critical habitats for organisms listed in the Red Book of the Russian Federation

Destruction of critical habitats for organisms entered into the Red Book of the Russian Federation [endangered species list], entailing death of the populations of these organisms,

—is punishable by limitation of freedom for a term of up to 3 years or by imprisonment for the same term.

Article 260. Unlawful cutting of trees and shrubbery

1. Unlawful cutting, and likewise damage to the degree of termination of growth, of trees, shrubbery and vines in forests of the first group or in specially protected areas of forests of all groups, and likewise of trees, shrubbery and vines which are not part of the timber resources or whose cutting is prohibited, if these actions are performed in significant amount,

—are punishable by a fine in the amount of from 50 to 100 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of up to 1 month, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by correctional work for a term of from 6 months to 1 year, or by arrest for a term of up to 3 months.

2. Unlawful cutting, and likewise damage to the degree of termination of growth of trees, shrubs and vines in forests of all groups, and likewise of plantings which are not included in the timber resources, if these actions are performed:

a) repeatedly;

b) by a person with the use of his official position;

c) in large amount,

—are punishable by a fine in the amount of from 100 to 200 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of up to 6 months with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Note. "Significant amount" in the present article is understood to be the loss, computed according to the established taxes, exceeding by 20 times the amount of the minimal labor wage established by the Russian Federation legislation at the moment of commission of the crime, and "large amount"—in the amount of 200 times.

Article 261. Destruction or damage to forests

1. Destruction or damage to forests, and likewise plantings which are not included in the timber reserve, as a result of careless handling of fire or other sources of increased danger,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

2. Destruction or damage to forests, and likewise to plantings which are not included in the timber reserve, by means of arson or other generally dangerous method, or as a result of pollution with harmful substances, by-products, waste or dumping,

—is punishable by imprisonment for a term of from 3 to 8 years.

Article 262. Violation of the regimen of specially protected natural territories or nature sites

Violation of the regimen of preserves, reserves, national parks, natural monuments and other nature territories specially protected by the state, entailing the infliction of significant loss,

—is punishable by a fine in the amount of from 100 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or by correctional work for a term of up to 2 years.

CHAPTER 27. CRIMES INVOLVING TRAFFIC SAFETY AND TRANSPORT OPERATION

Article 263. Violation of the rules of traffic safety and operation of railroad, air and water transport

1. Violation of the rules of traffic safety and rules of operating railroad, air, seagoing or river transport by a person who by virtue of his performed work and occupied position is obligated to adhere to these rules, if this action entails infliction of grave or moderately grave harm to human health, or infliction of great loss due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, entailing death of a person due to negligence,

—is punishable by imprisonment for a term of up to 5 years.

3. An action specified in part one of the present article entailing the death of two or more persons due to negligence,

—is punishable by imprisonment for a term of from 4 to 10 years.

Article 264. Violation of highway traffic regulations and rules of transport vehicle operation

1. Violation of the rules of highway traffic or the rules of transport vehicle operation by a person operating an automobile, streetcar or other mechanical transport means, which entails infliction of grave or moderately grave harm to the health of a person or infliction of great loss due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years with deprivation of the right *to operate a transport vehicle for a term of up to 3 years, or without such.* [to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.]

2. The same action, entailing death of a person due to negligence,

—is punishable by imprisonment for a term of up to 5 years, *with deprivation of the right to operate a transport vehicle for a term of up to 3 years.*.

3. An action specified in part one of the present article, entailing death of two or more persons due to negligence,

—is punishable by imprisonment for a term of from 4 to 10 years, *with deprivation of the right to operate a transport vehicle for a term of up to 3 years.*.

Note. In the present article, "other mechanical transport means" are understood to mean trolleys, as well as tractors and other self-propelled machinery, motorcycles and other mechanical transport means.

Article 265. Leaving the scene of a highway-transport accident

Leaving the scene of a highway-transport accident by a person operating a means of transport and violating the rules of traffic safety or the rules of operation of transport vehicles, in case of onset of consequences specified in *Article 264* of the present Code,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by deprivation of freedom for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

Article 266. Poor quality repair of transport means and their placement into operation in a state of technical disrepair

1. Poor quality repair of transport vehicles, railroads, signalling and communications devices or other transport equipment, and likewise placement into operation of technically faulty transport vehicles by a person responsible for the technical condition of the transport vehicles, if these actions entailed infliction of grave or moderately grave harm to health of a person or infliction of great loss due to negligence,

—is punishable by a fine in the amount of from 400 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 4 to 7 months, or by limitation of freedom for a term of up to 3 years, or by arrest for a term of up to 6 months, or by deprivation of freedom for a term of up to 2 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

2. The same actions, entailing death of a person due to negligence,

—are punishable by imprisonment for a term of up to 5 years.

3. Actions specified in part one of the present article, entailing death of two or more persons due to negligence,

—are punishable by imprisonment for a term of from 4 to 10 years.

Article 267. Bringing transport means or railroads to state of disrepair

1. Destroying, damaging or by some other means making unusuable for operation any transport means, railroad, signalling device or means of communication or other transport equipment, and likewise blocking transport communications, if these actions entailed infliction of grave or moderately grave harm to human health or infliction of great loss due to negligence,

—are punishable by a fine in the amount of from 400 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 4 to 7 months, or by imprisonment for a term of up to 4 years.

2. The same actions, entailing death of a person due to negligence,

—are punishable by imprisonment for a term of from 3 to 8 years.

3. Actions specified in part one of the present article, entailing death of two or more persons due to negligence,

—are punishable by imprisonment for a term of from 6 to 10 years.

Article 268. Violation of rules ensuring safe operation of transport

1. Violation by a passenger, pedestrian or other participant in traffic (except for persons specified in *Articles 263 and 264* of the present Code) of the rules of traffic safety or operation of transport means, if this action entailed infliction of grave or moderately grave harm to human health due to negligence,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 2 to 4 months, or by imprisonment for a term of up to 2 years.

2. The same action, entailing death of a person due to negligence,

—is punishable by limitation of freedom for a term of up to 5 years or by imprisonment for the same term.

3. An action specified by part one of the present article, entailing death of two or more persons due to negligence,

—is punishable by imprisonment for a term of from 4 to 8 years.

Article 269. Violation of safety regulations in construction, operation or repair of main pipelines

1. Violation of safety regulations in construction, operation or repair of main pipelines, if this action entailed infliction of grave or moderately grave harm to human health or infliction of great loss due to negligence,

—is punishable by limitation of freedom for a term of up to 4 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, entailing death of a person due to negligence,

—is punishable by imprisonment for a term of up to 5 years.

3. An action specified in part one of the present article which entails death of two or more persons due to negligence,

—is punishable by imprisonment for a term of from 4 to 10 years.

Article 270. Failure of a ship's captain to provide aid to persons in distress

Failure by the captain of a ship to give aid to persons in distress at sea or on some other waterway, if this aid could be given without serious danger to his own ship or its crew and passengers,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 271. Violation of international flight regulations

Failure to adhere to routes indicated in the flight permit, places of landing, air corridors, flight altitudes or other violation of international flight regulations,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by limitation of freedom for a term of up to 2 years, or by arrest for a term of from 3 to 6 months with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

CHAPTER 28. CRIMES IN THE SPHERE OF COMPUTER INFORMATION

Article 272. Unlawful access to computer information

1. Unlawful access to *lawfully protected computer information, that is information on computer disk, information stored in an electronic computer (EVM), an electronic computer system or its network, if this action entailed destruction, blocking, modification or copying of the information, or disruption of the operation of the computer, the computer system or its networks,*

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 6 months to 1 year, *or by imprisonment for a term of up to 2 years.*

2. The same action, *performed by a group of persons by preliminary agreement or by an organized group, or by a person with the use of his official position, and likewise having access to the computer, the computer system or its networks,*

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 8 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to *5 years.*

deleted: [Actions specified in parts one or two of the present article performed in regard to limited access information, stored on disk, in the computer, computer system or network, and likewise entailing grave consequences,]

[—are punishable by imprisonment for a term of up to 5 years.]

Article 273. Development, use and distribution of computer virus programs

1. Development of computer programs or introduction of changes into existing computer programs *which are known to lead* to unsanctioned destruction, blocking, modification or copying of information, *disruption of the operation of the computer, the computer system or its network,* and likewise the *use of dissemination of such programs or* disks containing with such programs,

—are punishable by imprisonment for a term of up to *3 years* with a fine in the amount of from 200 to 500 times the minimal amounts of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months.

2. The same actions, entailing grave consequences,

—are punishable by imprisonment for a term of from 3 to 7 years.

Article 274. Violation of the rules of use of computer, computer system or network

1. Violation of the rules of use of *a computer,* a computer system or network by a person having access to this *computer,* computer system or network, if this entails destruction, blocking or modification of the *lawfully protected* computer information, *or if this action inflicts significant harm,*

—is punishable by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, or by compulsory work for a term of from 180 to 240 hours, or by *imprisonment for a term of up to 2 years.*

2. The same action, *which due to negligence entails grave consequences,*

deleted: [a) performed in regard to a computer system or network, containing limited access information;

b) performed by a group of persons by preliminary agreement or by an organized group;

c) entailing grave consequences,]

—is punishable by imprisonment for a term of up to 4 years.

SECTION X. CRIMES AGAINST STATE AUTHORITY

CHAPTER 29. CRIMES AGAINST THE PRINCIPLES OF THE CONSTITUTIONAL ORDER AND STATE SECURITY

Article 275. High treason

High treason, that is espionage, disclosure of state secrets or other provision of aid to a foreign state, foreign organization or their representatives in conducting hostile activity to the detriment of the foreign security of the Russian Federation, performed by a citizen of the Russian Federation,

—is punishable by imprisonment for a term of from 12 to 20 years, with confiscation of property or without such.

Note. A person who has committed treason specified in the present article, as well as in *Articles 276 and 278* of the present Code, is excused from criminal responsibility if, by voluntary and timely report to the organs of authority or by other means, he facilitates the prevention of further detriment to the interests of the Russian Federation, and if his actions do not contain any other element of a crime.

Article 276. Espionage

Transfer, and likewise collection, misappropriation or storage for the purpose of transfer to a foreign state, foreign organization or their representatives, of information comprising a state secret, and likewise transfer or collection at the assignment of foreign intelligence of other information for use to the detriment of the foreign security of the Russian Federation, if these actions were performed by a foreign citizen or person without citizenship,

—are punishable by imprisonment for a term of from 10 to 20 years.

Article 277. Attempt on the life of a state or public leader

Attempt on the life of a state or public leader, performed for purposes of terminating *his state or other* political activity, *or out of revenge for such activity (terrorist act)*,

—is punishable by imprisonment for a term of from 12 to 20 years, or by the death penalty or life imprisonment.

Article 278. Seizure of power by force or forceful retention of power

Actions directed at forceful seizure of power or forceful retention of power in violation of the Constitution of the Russian Federation, and likewise directed at forceful change in the constitutional order of the Russian Federation,

—are punishable by imprisonment for a term of from 12 to 20 years. [with confiscation of property or without such.]

Article 279. Armed revolt

Organization of armed revolt or active participation in such for purposes of overthrow or forceful change of the constitutional order or disruption of the territorial integrity of the Russian Federation,

—is punishable by imprisonment for a term of from 12 to 20 years.

Article 280. Public appeals for forceful change of the constitutional order

1. Public appeals for forceful seizure of power, forceful retention of power or forceful change of the constitutional order of the Russian Federation,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 3 years.

2. The same actions, performed with the use of the mass media,

—are punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 5 years.

Article 281. Sabotage

1. Setting off an explosion or committing arson or other actions aimed at destruction or damage to enterprises, structures, railroads and transport, means of communication, and objects of vital provision of the population for purposes of undermining the economic security and defense capability of the Russian Federation,

—are punishable by imprisonment for a term of from 10 to *15 years.*

2. The same actions, performed by an organized group,

—are punishable by imprisonment for a term of from 12 to 20 years.

Article 282. Inciting national, racial or religious enmity

1. Actions aimed at inciting national, racial or religious hatred, insulting the national dignity, and likewise propaganda of exclusivity, supremacy or inferiority of citizens by indicator of their attitude toward religion, national or racial affiliation, if these actions are performed publicly or with the use of the mass media,

—are punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 8 months, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of from 2 to 4 years.

2. The same actions, performed:

a) with application of force or with threat of its application;

b) by a person with the use of his official position;

c) by an organized group,

—are punishable by imprisonment for a term of from 3 to 5 years.

Article 283. Disclosure of state secret

1. Disclosure of information comprising a state secret by a person [who has access to the state secret and] to whom it was entrusted or became known in the course of his official duties *or work, if this information became known to other persons, and* in the absence of indications of high treason,

—is punishable by [limitation of freedom for a term of up to 3 years, or by] arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 4 years, *with deprivation of the right to occupy certain official positions or to engage in certain activity for a term of up to 3 years, or without such.*

2. The same action, entailing grave consequences,

—is punishable by imprisonment for a term of from 3 to 7 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

Article 284. Loss of documents containing state secret

Violation by a person having access to a state secret of the established rules of handling documents containing such state secret, and likewise objects information about which comprises a state secret, if this entailed their loss and the onset of grave consequences due to negligence,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

CHAPTER 30. CRIMES AGAINST STATE AUTHORITY, INTERESTS OF THE STATE SERVICE AND SERVICE IN ORGANS OF LOCAL SELF-GOVERNMENT

Article 285. Misuse of official powers and authorities

1. Use by a public official of his official service-related powers and authorities contrary to the interests of the service, if this action is performed out of mercenary or other personal interest and entailed significant violation of the rights and lawful interests of citizens or organizations or the lawfully protected interests of society or the state,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 4 years.

2. The same action, performed by a person holding an official state position in the Russian Federation of an official state position in a subject of the Russian Federation, and likewise the head of an organ of local self-government,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a term of up to 7 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

3. Actions specified by parts one or two of the present article, entailing grave consequences,

—are punishable by imprisonment for a term of up to 10 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years.

Notes. 1. "Officials" in the articles of the present chapter are understood to be persons who, permanently, temporarily or by special authority, fulfill the functions of representative of authority or those who fulfill organizational-management, administrative-economic functions in state agencies, organs of local self-government, state and municipal institutions, as well as in the Armed Forces of the Russian Federation, other troop and military formations of the Russian Federation.

2. In the articles of the present chapter and other articles of the present Code, persons holding state official positions in the Russian Federation are understood to be persons holding official positions established by the Constitution of the Russian Federation, the federal constitutional laws and federal laws for direct fulfillment of powers and authorities of state agencies.

3. In the articles of the present chapter and other articles of the present Code, persons holding state official positions of subjects of the Russian Federation are understood to be persons holding official positions

established by the *constitutions or charters of subjects* of the Russian Federation for direct fulfillment of the powers and authorities of state agencies.

4. State employees and employees of organs of local self government not related to the complement of officials bear criminal responsibility under the articles of the present chapter in cases specially provided by the appropriate articles.

Article 286. Exceeding official authority

1. Performance by an official of actions which clearly go beyond the bounds of his powers and authorities and entail significant violation of the rights and lawful interests of citizens or organizations or the lawfully protected interests of society or the state,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 4 years.

2. The same action, performed by a person holding state official position of the Russian Federation or state official position of a subject of the Russian Federation, and likewise by the head of an organ of local self-govenment,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a term of up to 7 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

3. Actions specified in parts one or two of the present article, if they were performed:

a) with application of force or with threat of its application;

b) with application of weapon or special means;

c) with infliction of grave consequences,

—are punishable by imprisonment for a term of from 3 to 10 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years.

Article 287. Refusal to grant information to the Federal Assembly of the Russian Federation or to the Accounting Chamber of the Russian Federation

1. *Unlawful refusal* to provide or evasion from providing information (documents, materials), and likewise the provision of knowingly incomplete or false information to the Federation Council of the Russian Federation Federal Assembly, the State Duma of the Russian Federation Federal Assembly, or to the Accounting Chamber of the Russian Federation, if these actions were performed by an official responsible for providing such information,

—are punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of from 2 to 5 yeas, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 3 years.

2. The same actions, performed by a person holding a state official position of the Russian Federation or a state official position of a subject of the Russian Federation,

—are punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 8 months, or by imprisonment for a term of up to 5 years with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years, or without such.

3. Actions specified by parts one or two of the present article, if they:

a) are associated with concealment of legal violations performed by officials of the organs of state power;

b) are performed by a group of persons by preliminary agreement, or by an organized group;

c) entailed grave consequences,

—are punishable by imprisonment for a term of from 4 to 8 years, with deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 3 years.

Article 288. Assuming powers and authorities of an official

Assumption, by a state employee or employee of an organ of local self-government who is not a public official, of the powers and authorities of an official and performance by him in this connection of actions which entailed significant violation of the rights and lawful interests of citizens or organizations,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the wages or other income of a convicted person for a period of up to 1 month, or by compulsory work for a term of from 120 to 180 hours, or by correctional work for a term of up to 2 years, or by arrest for a term of up to 3 months.

Article 289. Unlawful participation in entrepreneurial activity

Founding of an organization implementing entrepreneurial activity by a public official, or participation in the management of such organization, personally or through an authorized representative in spite of the prohibition established by law, if these actions are associated with granting such organizations benefits and privileges or with its patronage in some other form,

—is punishable by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, with a fine in the amount of from 100 to 200 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a term of from 180 to 240 hours, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

Article 290. Accepting bribe

1. Acceptance by a public official, personally or through an intermediary, of a bribe in the form of money, securities, other property or benefits of a property character in return for actions (lack of action) in favor of the bribe-giver or persons whom he represents, if such actions (lack of action) enter into the official powers and authorities of the said public official, or if he may facilitate such actions (lack of action) by virtue of his official position, and likewise for general patronage or connivance in his duties,

—is punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 5 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

2. Acceptance by a public official of a bribe for unlawful actions (lack of action),

—is punishable by imprisonment for a term of from 3 to 7 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

3. Actions specified by parts one or two of the present article, performed by a person holding a state official position of the Russian Federation or a state official position of subject of the Russian Federation, and likewise by the head of an organ of local self-government,

—are punishable by imprisonment for a term of from 5 to 10 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

4. Actions specified in parts one, two or three of the present article, if they are performed:

a) by a group of persons by preliminary agreement, or by an organized group;

b) repeatedly;

c) with extortion of bribe;

d) in large amount,

—are punishable by imprisonment for a term of from 7 to 12 years with confiscation of property or without such.

Note. Large amount of a bribe is understood to be a sum of money, value of securities, other property or benefits of a property character exceeding 300 times the amount of the minimal labor wage.

Article 291. Giving bribe

1. Giving a bribe to a public official, personally or through an intermediary,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 3 years.

2. Giving a bribe to a public official for his performance of a knowingly unlawful action (lack of action), or repeatedly,

—is punishable by a fine in the amount of from 200 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 8 years.

Note. A person giving a bribe is excused from criminal responsibility if there was extortion of the bribe on the part of the official, or if the person voluntarily reported the bribe to an agency which has the right to file a criminal case.

Article 292. Official forgery

Official forgery, that is the entry by a public official, and likewise a state employee or employee of an organ of local self-government who is not a public official, of knowingly false information *into official documents*, and likewise the entry into the said documents of corrections which distort their real content, if these actions are performed from mercenary or other personal interests,

—are punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a term of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

Article 293. Negligence

1. Negligence, that is the non-fulfillment or improper fulfillment by a public official of his duties as a result of unconscientious or careless attitude toward service, if this entailed significant violation of the rights and lawful interests of citizens or organizations or the lawfully protected interests of society or the state,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of from 6 months to 1 year, or by arrest for a term of up to 3 months.

2. The same action, entailing death of a person or other grave consequences due to carelessness,

—is punishable by imprisonment for a term of up to 5 years.

CHAPTER 31. CRIMES AGAINST JUSTICE

Article 294. Hindering implementation of justice and performance of preliminary investigation

1. Interference in any form whatsoever into the activity of the court for the purpose of hindering the implementation of justice,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

2. Interference in any form whatsoever in the activity of the prosecutor, investigator or person conducting an inquiry for the purpose of hindering the comprehensive, complete and objective investigation of the case,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 3 to 6 months.

3. Actions specified in parts one or two of the present article, performed by a person using his official position,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 4 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

Article 295. Attempt on life of person implementing jurisprudence or preliminary investigation

Attempt on the life of a judge, people's assessor or other person participating in the implementation of jurisprudence, a prosecutor, investigator, person conducting an inquiry, defender, expert, judicial marshall, judicial executor, and likewise their dear ones, in connection with review of cases or materials in court, performance of preliminary investigation or execution of judgement, court ruling or other judicial act, performed for purposes of hindering the lawful activity of the said persons, or out of revenge for such activity,

—is punishable by imprisonment for a term of from 12 to 20 years, or by the death penalty or life imprisonment.

Article 296. Threats and forceful actions in connection with implementing jurisprudence and conducting preliminary investigation

1. Threat of murder, infliction of harm to the health or destruction of property in regard to a judge, sworn assessor or other person participating in the implementation of jurisprudence, and likewise in regard to their dear ones, in connection with the review of a case or materials in court,

—is punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 3 years.

2. The same action, performed in regard to a prosecutor, investigator, person performing inquiry, defender, expert, bailiff, court executor, and likewise their dear ones, in connection with performance of a preliminary investigation, review of a case or materials in court or

fulfillment of a sentence, court ruling or other judicial act,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

3. Actions specified by parts one or two of the present article, performed with application of force not dangerous to life or health,— —are punishable by imprisonment for a term of up to 4 years.

4. Actions specified in parts one or two of the present article, performed with the use of force which poses a threat to life or health,

—is punishable by imprisonment for a term of from 5 to 10 years.

Article 297. Contempt of court

1. Contempt of court, expressed by insulting participants in a judicial investigation,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 2 to 4 months.

2. The same action, expressed by an insult to a judge, sworn assessor or other person participating in exercise of jurisprudence,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 4 to 6 months.

Article 298. Slander in regard to a judge, sworn assessor, prosecutor, investigator, person conducting inquiry, bailiff or court executor

1. Slander in regard to a judge, sworn assessor or other person participating in the execution of jurisprudence, in connection with their review of a case or materials in court,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

2. The same action, performed in regard to a prosecutor, investigator, person conducting inquiry, bailiff or court executor in connection with the proceedings in a preliminary investigation or fulfillment of a sentence, court ruling or other judicial act,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by correctional work for a term of up to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

3. Actions specified by parts one and two of the present article, in conjunction with accusation of a person in commission of a grave or very grave crime,

—are punishable by imprisonment for a term of up to 4 years.

Article 299. Bringing a person who is known to be innocent to criminal responsibility

1. Bringing to criminal responsibility a person who is known to be innocent,

—is punishable by imprisonment for a term up to 5 years.

2. The same action, in conjunction with accusation of a person in commission of a grave or especially grave crime,

—is punishable by imprisonment for a term of from 3 to 10 years.

Article 300. Unlawful excuse from criminal responsibility

Unlawful excuse from criminal responsibility of a person suspected or accused of committing a crime by a prosecutor, investigator or person conducting an inquiry,

—is punishable by imprisonment for a term of from 2 to 7 years.

Article 301. Unlawful detainment, placement in custody or holding in custody

1. Knowingly unlawful detainment,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. Knowingly unlawful placement in custody and holding in custody,

—are punishable by imprisonment for a term of up to 4 years.

3. Actions specified in parts one or two of the present article, entailing grave consequences,

—are punishable by imprisonment for a term of from 3 to 8 years.

Article 302. Compulsion to give testimony

1. Compulsion of a suspect, accused person, victim, or witness to give testimony or of an expert to give conclusion by means of application of threats, blackmail or other unlawful actions on the part of the investigator or person conducting the inquiry,

—is punishable by imprisonment for a term of up to 3 years.

2. The same action, in conjunction with application of force, mockery or torture,

—is punishable by imprisonment for a term of from 2 to 8 years.

Article 303. Falsification of evidence

1. Falsification of evidence in a civil case by a person participating in the case, or by his representative,

—is punishable by a fine in the amount of from 500 to 800 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 8 months, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 2 to 4 months.

2. Falsification of evidence in a criminal case by a person conducting an inquiry, investigator, prosecutor or defender,

—is punishable by imprisonment for a term of up to 3 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

3. Falsification of evidence in a criminal case involving a grave or especially grave crime, and likewise entailing grave consequences,

—is punishable by imprisonment for a term of from 3 to 7 years, with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

Article 304. Provocation of bribe or commercial graft

Provocation of a bribe or commercial graft, that is the attempt to give a public official or person fulfilling administrative functions in commercial or other organizations money, securities or other property, or to provide him with services of a property character without his consent, for the purpose of creating artificial proof of his commission of a crime or blackmail,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 5 years with deprivation of the right to hold certain official positions or to engage in certain activity for a period of up to 3 years, or without such.

Article 305. Imposition of knowingly unlawful sentence, ruling or other judicial act

1. Imposition by a judge (judges) of a knowingly unlawful sentence, ruling or other judicial act,

—is punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 4 years.

2. The same action, associated with imposition of an unlawful court sentence to imprisonment or entailing other grave consequences,

—is punishable by imprisonment for a term of from 3 to 10 years.

Article 306. Knowingly false denunciation

1. A knowingly false denunciation on commission of a crime,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

2. The same action, in conjunction with accusation of a person of committing a grave or especially grave crime or with artificial creation of evidence of the accusation,

—is punishable by imprisonment for a term of up to 6 years.

Article 307. Knowingly false testimony, expert conclusion or incorrect translation

1. Knowingly false testimony of a witness or victim, or expert conclusion, and likewise the knowingly incorrect translation in court or in proceedings of the preliminary investigation,

—are punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of up to 2 years, or by arrest for a term of up to 3 months.

2. The same actions, in conjunction with accusation of a person of committing a grave or especially grave crime,

—are punishable by imprisonment for a term of up to 5 years.

Note. A witness, victim, expert or translater is absolved from criminal responsibility if he voluntarily, in the course of the inquiry, preliminary investigation or judicial proceedings and prior to issuance of the court sentence or court ruling, announces the falseness of the testimony or conclusion he has given, or the incorrectness of his translation, of which he is aware.

Article 308. Refusal of witness or victim to give testimony

Refusal of a witness or victim to give testimony,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

Note. A person is not subject to criminal responsibility for refusing to give testimony against himself, his spouse or his close relatives.

Article 309. Bribery or compulsion to give testimony or to evade giving testimony or incorrect translation

1. Bribery of a witness or victim for the purpose of their giving false testimony, or of an expert for the purpose of his giving false conclusions or false testimony, and likewise of a translator for the purpose of his providing an incorrect translation,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of up to 2 years, or by arrest for a term of up to 3 months.

2. Compulsion of a witness or victim to give false testimony, of an expert to give false conclusions or of a translator to provide incorrect translation, and likewise compulsion of the said persons to avoid giving testimony, performed with blackmail, threat of murder, infliction of harm to health or destruction of the property of these persons or their dear ones,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the labor wage or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 3 years.

3. An action specified in part two of the present article, performed with application of force not dangerous to the life or health of the said persons,

—is punishable by imprisonment for a term of up to 5 years.

4. Actions specified in parts one or two of the present article, performed by an organized group or with application of force dangerous to the life or health of the said persons,

—is punishable by imprisonment for a term of from 3 to 7 years.

Article 310. Disclosure of data of preliminary investigation

Disclosing the data of a preliminary investigation by a person who has been warned in accordance with the procedure established by law regarding the inadmissability of such disclosure, if it is performed without the consent of the prosecutor, investigator or person conducting the inquiry,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by correctional work for a term of up to 2 years, or by arrest for a term of up to 3 months.

Article 311. Disclosure of information on security measures applied in regard to a judge and participants in criminal proceedings

1. Disclosure of information on the security measures applied in regard to a judge, sworn assessor or other person participation in performance of jurisprudence, a bailiff, court executor, victim, witness or other participants in criminal proceedings, and likewise in regard to their dear ones, if this action is performed by a person to whom this information was entrusted or became known in connection with his official duties,

—is punishable by a fine in the amount of from 200 to 400 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 4 months, or by limitation of freedom for a term of up to 2 years, or by arrest for a term of up to 4 months.

2. The same action, entailing grave consequences,

—is punishable by imprisonment for a term of up to 5 years.

Article 312. Unlawful actions in regard to property subjected to distraint or arrest, or subject to confiscation

1. Embezzlement, alienation, concealment or unlawful transfer of property subjected to distraint or arrest, performed by a person to whom this property was entrusted, and likewise the performance of banking operations by an employee of a credit organization with monetary means (investments) on which arrest has been imposed,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

2. Concealment or appropriation of property subject to confiscation under court sentence, and likewise other evasion of fulfillment of a court sentence on confiscation of property which has gone into legal effect,

—are punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of up to 3 years with a fine in the amount of up to 50 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of up to 1 month.

Article 313. Flight from place of imprisonment, *arrest*, or custody

1. Flight from a place of imprisonment, *arrest* or custody, performed by a person serving sentence or being held in preliminary custody,

—is punishable by imprisonment for a term of up to 3 years.

2. The same action, performed:

a) by a group of persons by preliminary agreement or by an organized group;

b) with application of force dangerous to life or health, or with threat of application of such force;

c) with application of weapons or objects used as weapons,

—is punishable by imprisonment for a term of up to 8 years.

deleted: [Note. A person who has voluntarily returns to the place of imprisonment or to custody within a period of 3 days from the moment of his escape, is excused from criminal responsibility, if during this time he did not commit a new crime and if the escape was not associated with any actions specified in points "b" and "c", part two of the present article.]

Article 314. Evasion of serving imprisonment

Failure to return by a person sentenced to imprisonment who has been permitted a short-term furlough outside the boundaries of the place of imprisonment or who has been granted postponement of fulfillment of court sentence or serving of punishment, upon expiration of the term of the furlough or postponement,

—is punishable by imprisonment for a term of up to 2 years.

Article 315. Failure to fulfill court sentence, court ruling or other judicial act

Malicious failure by a representative of authority, state employee, employee of an organ of local self-government, and likewise employee of a state or municipal institution, commercial or other organization to fulfill a court sentence, court ruling or other judicial act which has gone into legal effect, and likewise the hindrance of their fulfillment,

—is punishable by a fine in the amount of from *200 to 400 times* the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from *2 to 4* months, or by deprivation of the right to hold certain official positions or to engage in certain activity for a term of up to 5 years, or by compulsory work for a period of from 180 to 240 hours, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

Article 316. Concealment of crimes

Previously unpromised concealment of especially grave crimes,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

Note. A person is not subject to criminal responsibility for a previously unpromised concealment of a crime committed by his spouse or close relative.

CHAPTER 32. CRIMES AGAINST ADMINISTRATIVE PROCEDURE

Article 317. Attempt on the life of an associate of a law enforcement agency

Attempt on the life of an associate of a law enforcement agency or military serviceman, and likewise their dear ones, for purposes of hindering the lawful activity of the indicated persons in protection of the public order and provision of public security, or out of revenge for such activity,

—is punishable by imprisonment for a term of from 12 to 20 years, or by the death penalty or life imprisonment.

Article 318. Application of force in regard to representative of authority

1. Application of force not dangerous to life or health, or threat of application of such force in regard to a representative of authority or his dear ones in connection with his fulfillment of official duties,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 5 years.

2. Application of force dangerous to life or health in regard to persons indicated in part one of the present article,

—is punishable by imprisonment for a term of from 5 to 10 years.

Note. A representative of authority in the present article and other articles of the present Code is understood to be an official person of a law enforcement or control agency, and likewise another official person delegated in accordance with procedure established by law to exercise directive powers and authorities in regard to persons who are not dependent on him in their official duties.

Article 319. Insult to representative of authority

Public insult to a representative of authority in the course of his fulfillment of his official duties or in connection with their fulfillment,

—is punishable by a fine in the amount of from 50 to 100 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of up to 1 month, or by compulsory work for a period of from 120 to 180 hours, or by correctional work for a term of from 6 months to 1 year.

Article 320. Disclosure of information on security measures applied in regard to an official of a law enforcement or control agency

1. Disclosure of information on the measures of security applied in regard to an official of a law enforcement or control agency, and likewise his dear ones, if this action was performed for purposes of hindering his official activity,

—is punishable by a fine in the amount of from 200 to 400 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 4 months, or by arrest for a term of up to 4 months.

2. The same action, entailing grave consequences,

—is punishable by imprisonment for a term of up to 5 years.

Article 321. Hindering normal activity of institutions providing isolation from society

1. Threat of application of force in regard to an associate of a place of imprisonment or a place of holding in custody, and likewise in regard to a convicted person for the purpose of hindering his correction, or out of revenge for his fulfillment of his social obligation,

—is punishable by imprisonment for a term of up to 5 years.

2. Application of force not dangerous to life or health to persons indicated in part one of the present article,

—is punishable by imprisonment for a term of from 3 to *10 years.*

3. Actions specified in parts one or two of the present article, performed by an organized group or with application of force dangerous to life or health,

—are punishable by imprisonment for a term of from 5 to 12 years.

Article 322. Unlawful crossing of the State Boundary of the Russian Federation

1. Crossing of the State Boundary of the Russian Federation without the specified documents and proper permission,

—is punishable by a fine in the amount of from 200 to 500 times the minimal amount of the labor wage or in the amount of the wages or other income of the

convicted person for a period of from 2 to 5 months, or by imprisonment for a term of up to 2 years.

2. Unlawful crossing of the State Boundary of the Russian Federation, performed by a group of persons by preliminary agreement or by an organized group, or with application of force or with threat of its application,

—is punishable by imprisonment for a term of up to 5 years.

***Note.** The present article does not apply to cases of entry into the Russian Federation in violation of the rules of crossing the State Boundary of the Russian Federation by foreign citizens and persons without citizenship in the course of their exercising the right of political asylum in accordance with the Constitution of the Russian Federation, if the actions of these persons contain no other indication of a crime.*

Article 323. Unlawful changing of State Boundary of the Russian Federation

1. Removing, moving or destroying border signs for the purpose of unlawfully changing the State Boundary of the Russian Federation,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

2. The same actions, performed repeatedly or entailing grave consequences,

—are punishable by imprisonment for a term of up to 4 years.

Article 324. Acquisition or sale of official documents and state awards

Unlawful acquisition or sale of official documents granting rights or excusing from responsibilities, and likewise state awards of the Russian Federation, the RSFSR and the USSR,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

Article 325. Misappropriation or damage of documents, stamps, seals

1. Misappropriation, destruction, damage or concealment of official documents, stamps or seals, performed out of mercenary or other personal interests,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by correctional work for a term of up to 2 years, or by arrest for a term of up to 4 months, or by imprisonment for a term of up to 1 year.

2. Appropriation of a citizen's passport or other important personal document,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by correctional work for a term of up to 1 year, or by arrest for a term of up to 3 months.

Article 326. Falsification or destruction of identification number on transport vehicle

1. Falsification or destruction of the identification number, body, chassis or engine number, and likewise falsification of the state registration symbol of a transport vehicle for purposes of operation or sale of the transport vehicle, as well as the sale of a transport vehicle with a knowingly falsified identification number, body, chassis or engine number, or with knowingly falsified state registration symbol,

—is punishable by a fine in the amount of from 100 to 200 times the minimal amount of the labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by correctional work for a term of up to 1 year, or by limitation of freedom for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

2. The same actions, performed repeatedly or by a group of persons by preliminary agreement or by an organized group,

—are punishable by correctional work for a term of up to 2 years, or by limitation of freedom for a term of up to 3 years, or by imprisonment for a term of up to 4 years.

Article 327. Forgery, manufacture and sale of forged documents, state awards, stamps, seals, or blanks

1. Forgery of certificates or other official documents which grant rights or give exemption from responsibilities for purposes of the use or sale of such documents, and likewise manufacture or sale for the same purposes of forged state awards of the Russian Federation, the RSFSR or USSR, or of stamps, seals, or blanks,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 2 years.

2. The same actions, performed repeatedly,

—are punishable by imprisonment for a term of up to 4 years.

3. Use of a knowingly forged document,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of up to 2 years, or by arrest for a term of from 3 to 6 months.

Article 328. Evasion of military or alternative civil service

1. Evasion of the call-up to military service in the absence of lawful grounds for excuse from this service,

—is punishable by a fine in the amount of from 200 to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 2 to 5 months, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 2 years.

2. Evasion of performing alternative civil service by persons excused from military service,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a term of from 180 to 240 hours, or by arrest for a term of from 3 to 6 months.

Article 329. Defilement of the State Seal of the Russian Federation or the State Flag of the Russian Federation

Defilement of the State Seal of the Russian Federation or the State Flag of the Russian Federation,

—is punishable by limitation of freedom for a term of up to 2 years, or by arrest for a term of from 3 to 6 months, or by imprisonment for a term of up to 1 year.

Article 330. Arbitrariness

1. Arbitrariness, that is license, taken in spite of the order of performing certain actions established by law or by other standard legal statute, whose lawfulness is challenged by an organization or citizen, if such actions inflict significant harm,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by compulsory work for a period of from 180 to 240 hours, or by correctional work for a term of from 1 to 2 years, or by arrest for a term of from 3 to 6 months.

2. The same action, performed with application of force or with threat of its application,

—is punishable by limitation of freedom for a term of up to 3 years, or by arrest for a term of from 4 to 6 months, or by imprisonment for a term of up to 5 years.

SECTION XI. CRIMES AGAINST THE MILITARY SERVICE

CHAPTER 33. CRIMES AGAINST THE MILITARY SERVICE

Article 331. Concept of crimes against the military service

1. Crimes against the military service are understood to be the crimes specified in the present chapter against the established order of performing military service, committed by military servicemen performing military service by call-up or by contract in the Armed Forces of the Russian Federation, other troop and military formations of the Russian Federation, as well as by citizens who are on reserve, during performance of their periodic military training.

2. Military builders in military-construction detachments (units) of the Ministry of Defense of the Russian Federation and other ministries and departments of the Russian Federation are subject to criminal responsibility in accordance with the present chapter.

3. Criminal responsibility for crimes against the military service, committed during wartime or in a combat situation are defined by the Russian Federation legislation for wartime.

Article 332. Failure to fulfill an order

1. Non-fulfillment by a subordinate of an order given by his superior, which is issued in accordance with established procedure, if such non-fulfillment inflicts significant harm upon the interests of the service,

—is punishable by limitation of military service for a term of up to 2 years, or by arrest for a term of up to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years.

2. The same action, performed by a group of persons, a group of persons by preliminary agreement or by an organized group, and likewise entailing grave consequences,

—is punishable by imprisonment for a term of up to 5 years.

3. Failure to fulfill an order as a result of careless or unconscientious attitude toward service, entailing grave consequences,

—is punishable by limitation of military service for a term of up to 1 year, or by arrest for a term of from 3 to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years.

Article 333. Resisting superior or forcing him to violate responsibilities of military service

1. Offering resistance to a superior, and likewise to another person fulfilling the duties of military service which have been placed upon him, or forcing him to violate these responsibilities, associated with violence or with threat of its application,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 5 years.

2. The same actions, performed:

a) by a group of persons, a group of persons by preliminary agreement or by an organized group;

b) with application of weapons;

c) with infliction of grave or moderately grave harm to the health, or other grave consequences,

—are punishable by imprisonment for a term of from 3 to 8 years.

Article 334. Forcible actions in regard to superior

1. Infliction of beatings or application of other force in regard to a superior, performed during his fulfillment of responsibilities of military service or in connection with fulfillment of these responsibilities,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 5 years.

2. The same actions, performed:

a) by a group of persons, a group of persons by preliminary agreement or by an organized group;

b) with use of weapons;

c) with infliction of grave or moderately grave harm to health or other grave consequences,

—are punishable by imprisonment for a term of from 3 to 8 years.

Article 335. Violation of service regulations on mutual relations between military servicemen in the absence of relations of subordination between them

1. Violation of the service regulations of mutual relations between military servicemen in the absence of relations of subordination between them, associated with insult to honor or dignity or mockery of the victim, or in conjunction with violence,

—are punishable by confinement in a disciplinary military unit for a term of up to 2 years or by imprisonment for a term of up to 3 years.

2. The same action, performed:

a) repeatedly;

b) in regard to two or more persons;

c) by a group of persons, a group of persons by preliminary agreement or by an organized group;

d) with use of weapons;

e) with infliction of moderately grave harm upon the health,

—are punishable by imprisonment for a term of up to 5 years.

3. Actions specified by parts one or two of the present article, entailing grave consequences,

—are punishable by imprisonment for a term of up to 10 years.

Article 336. Insult of a military serviceman

1. Insult by one military serviceman of another in the course of fulfillment or in connection with fulfillment of the duties of military service,

—is punishable by limitation of military service for a term of up to 6 months or by confinement in a disciplinary military unit for the same term.

2. Insult of a superior by a subordinate, and likewise of a subordinate by a superior in the course of fulfillment or in connection with fulfillment of the duties of military service,

—is punishable by limitation of military service for a term of up to 1 year or by confinement in a disciplinary military unit for the same term.

Article 337. Unauthorized absence from unit or place of service

1. Unauthorized absence from a unit or place of service, and likewise failure to report for service on time without valid reason following discharge from a unit, upon appointment or transfer, following service-related trip, or following leave or stay in a treatment institution, if such absence lasts more than 2 days but no more

than 10, performed by a military serviceman undergoing military service by call-up,

—is punishable by arrest for a term of up to 6 months or by confinement in a disciplinary military unit for a term of up to 1 year.

2. The same actions, performed by a military serviceman serving punishment in a disciplinary military unit,

—are punishable by imprisonment for a term of up to 2 years.

3. Unauthorized absence from a unit or place of service, and likewise failure to report for service on time without valid reason for a period in excess of 10 days, but no more than 1 month, performed by a military serviceman performing military service by call-up or under contract,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 3 years.

4. Actions specified in part three of the present article, with duration of over 1 month,

—are punishable by imprisonment for a term of up to 5 years.

Note. A military serviceman who commits the actions specified in the present article for the first time may be excused from criminal responsibility if the unauthorized absence from his unit was a result of a confluence of grave circumstances.

Article 338. Desertion

1. Desertion, that is taking unauthorized leave from a unit or place of service for the purpose of evading performance of military service, and likewise failure to report for service for the same reason, [performed by a serviceman undergoing military service by call-up,]

—is punishable by imprisonment for a term of up to 7 years.

2. Desertion with a service-issue weapon, and likewise desertion performed by a group of persons by preliminary agreement, or by an organized group,

—is punishable by imprisonment for a term of from 3 to 10 years.

Note. A military serviceman committing desertion for the first time, as specified in part one of the present article, may be excused from criminal responsibility [if he voluntarily returns with acknowledgement of guilt or] if the desertion was the result of a confluence of grave circumstances.

Article 339. Evading fulfillment of military service obligations by means of feigning illness or other methods

1. Evasion by a military serviceman from fulfillment of military service obligations by means of feigning illness or inflicting some harm upon himself (self-inflicted injury), or forgery of documents, or other fraud,

—is punishable by limitation of military service for a term of up to 1 year, or by arrest for a term of up to 6 months, or by confinement in a disciplinary military unit for a term of up to 1 year.

2. The same action, performed for the purpose of total excuse from fulfillment of military service obligations,

—is punishable by imprisonment for a term of up to 7 years.

Article 340. Violating regulations of standing combat duty watch

1. Violation of the rules of standing combat duty watch (combat service) for timely detection and repulsion of sudden attack on the Russian Federation or for ensuring its security, if this action entailed or could have entailed infliction of harm to the interests of state security,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 5 years.

2. The same action, entailing grave consequences,

—is punishable by imprisonment for a term of up to 10 years.

3. Violation of the rules of standing combat duty watch (combat service) as a result of careless or unconscientious attitude toward them, entailing grave consequences,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 3 years.

Article 341. Violating rules of performing border service

Violation of the rules of performing border service by a person who is in the complement of the border detachment, *or fulfilling other duties of the border service*, if this action entailed or could have entailed infliction of harm to the interests of state security,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 3 years.

2. The same action, entailing grave consequences,

—is punishable by imprisonment for a term of up to 5 years.

3. Violation of the rules of performing border service as a result of careless or unconscientious attitude toward them, entailing grave consequence,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

Article 342. Violation of the service regulations of guard duty

1. Violation of the service regulations of guard (watch) duty by a person who is included in the complement of the guard (watch), if this action entailed infliction of harm to the objects being guarded by the guard (watch),

—is punishable by limitation of military service for a term of up to 2 years, or by arrest for a term of up to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

2. The same action, entailing grave consequences,

—is punishable by imprisonment for a term of up to 3 years.

3. Violation of the service regulations of guard (watch) duty as a result of careless or unconscientious attitude toward it, entailing grave consequences,

—is punishable by imprisonment for a term of up to 1 year.

Article 343. Violating regulations of performing service in protection of public order and provision of public security

1. Violation of the regulations of performing service by a person who is a member of a troop detachment for protecting the public order and ensuring public safety, if this action inflicted harm upon the rights and lawful interests of citizens,

—is punishable by limitation of military service for a term of up to 2 years, or by arrest for a term of up to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 2 years.

2. The same action, entailing grave consequences,

—is punishable by imprisonment for a term of from 2 to 5 years.

Article 344. Violation of service regulations on performing internal service and garrison patrol

Violation of the service regulations of the internal service by a person who is on 24-hour detail of a unit (except guard and watch), and likewise violation of the service regulations of garrison patrol by a person who is a member of a patrol detail, if these actions entailed grave consequences,

—are punishable by limitation of military service for a term of up to 2 years, or by arrest for a term of up to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years.

Article 345. Abandonment of sinking military ship

Abandonment of a sinking military ship by a commander who has not fulfilled his official duties to the end, and likewise by a member of the ship's command without proper order of the commander to this effect,

—is punishable by limitation of military service for a term of up to 2 years, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 5 years.

Article 346. Intentional destruction or damage to military property

1. Intentional destruction or damage to weapons, munitions or objects of military equipment,

—is punishable by a fine in the amount of up to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of up to 2 months, or by limitation of military service for a term of up to 2 years, or by arrest for a term of up to 3 months, or by confinement in a disciplinary military unit for a term of up to 2 years, *or by imprisonment for a term of up to 2 years.*

2. The same actions, entailing grave consequences,

—are punishable by imprisonment for a term of up to 5 years.

Article 347. Destruction or damage to military property through negligence

Destruction or damage of weapons, munitions or objects of military equipment due to negligence, entailing grave consequences,

—is punishable by a fine in the amount of up to 500 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of up to 5 months, or by limitation of military service for a term of up to 2 years, or by arrest for a term of up to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years, *or by imprisonment for a term of up to 2 years.*

Article 348. Loss of military property

Violation of the rules of preserving weapons, munitions or objects of military equipment entrusted for official use, if this entailed their loss,

—is punishable by a fine in the amount of from 100 to 200 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 1 to 2 months, or by limitation of military service for a term of up to 2 years, or by arrest for a term of up to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years, *or by imprisonment for a term of up to 2 years.*

Article 349. Violation of the rules of handling weapons and objects posing increased danger to surrounding persons

1. Violation of the rules of handling weapons, munitions, radioactive materials, explosive or other substances and objects which pose increased danger to surrounding persons, if this entailed infliction of grave or moderately grave harm to human health, destruction of military equipment of other grave consequences due to negligence,

—is punishable by limitation of military service for a term of up to 2 years or by confinement in a disciplinary military unit for a term of up to 2 years.

2. The same action, entailing death of a person due to negligence,

—is punishable by imprisonment for a term of up to 5 years.

3. An action specified in part one of the present article, entailing death of two or more persons due to negligence,

—is punishable by imprisonment for a term of up to 10 years.

Article 350. Violation of the rules of operation and use of machinery

1. Violation of the rules of operation or use of combat, special or transport machinery, entailing infliction of grave or moderately grave harm to human health due to negligence,

—is punishable by arrest for a term of from 4 to 6 months, or by confinement in a disciplinary military unit for a term of up to 2 years, or by imprisonment for a term of up to 2 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

2. The same action, entailing death of a person due to negligence,

—is punishable by imprisonment for a term of from 2 to 5 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years, or without such.

3. An action specified in part one of the present article, entailing death of two or more persons due to negligence,

—is punishable by imprisonment for a term of from 4 to 10 years.

Article 351. Violation of flight regulations or flight preparations

Violation of flight regulations or flight preparation or other rules of the use of military flight craft, entailing death of a person or other grave consequence due to negligence,

—is punishable by imprisonment for a term of from 3 to 10 years.

Article 352. Violation of the rules of navigation

Violation of the rules of navigating or operating military ships, entailing death of a person or other grave consequences due to negligence,

—is punishable by imprisonment for a term of from 3 to 10 years.

SECTION XII. CRIMES AGAINST PEACE AND SECURITY OF MANKIND

CHAPTER 34. CRIMES AGAINST PEACE AND SECURITY OF MANKIND

Article 353. Planning, preparing, unleashing and waging aggressive war

1. Planning, preparing or unleashing an aggressive war,

—is punishable by imprisonment for a term of from 7 to 15 years.

2. Waging aggressive war,

—is punishable by imprisonment for a term of from 10 to 20 years.

Article 354. Public appeals to unleash aggressive war

1. Public appeals to unleash aggressive war,

—are punishable by a fine in the amount of from 500 to 700 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 5 to 7 months, or by imprisonment for a term of up to 3 years.

2. The same actions, performed with the use of the mass media or by a person holding a state official position of the Russian Federation or a state official position of a subject of the Russian Federation,

—are punishable by a fine in the amount of from 700 to 1,000 times the amount of the minimal labor wage or in the amount of the wages or other income of the convicted person for a period of from 7 months to 1 year, or by imprisonment for a term of from 2 to 5 years with deprivation of the right to hold certain official positions or engage in certain activity for a term of up to 3 years.

Article 355. Production or proliferation of mass destruction weapons

Production, acquisition or sale of chemical, biological and likewise other types of weapon of mass destruction, prohibited by international treaty of the Russian Federation,

—is punishable by imprisonment for a term of from 5 to 10 years.

Article 356. Application of prohibited means and methods of waging war

1. Harsh treatment of military prisoners or the civilian population, deportation of the civilian population, plundering national property on occupied territory, or application of means and methods prohibited by international treaty of the Russian Federation in the course of armed conflict,

—are punishable by imprisonment for a term of up to 20 years.

2. Application of a mass destruction weapon prohibited by international treaty of the Russian Federation,

—is punishable by imprisonment for a term of from 10 to 20 years.

Article 357. Genocide

Actions aimed at the complete or partial annihilation of a national, ethnic, racial or religious group by means of killing of members of this group, infliction of grave harm upon their health, forcible prevention of childbirth, forcible transfer of children, forced re-settlement or other creation of living conditions aimed at the physical annihilation of members of this group,

—are punishable by imprisonment for a term of from 12 to 20 years, or by the death penalty or life imprisonment.

Article 358. Ecocide

Mass destruction of the plant or animal world, poisoning of the atmosphere or the water resources, and likewise performance of other actions capable of causing ecological catastrophe,

—are punishable by imprisonment for a term of from 12 to 20 years.

Article 359. Mercenary service

1. Recruitment, training, financing or other material provision for a mercenary, and likewise his use in armed conflict or military actions,

—is punishable by imprisonment for a term of from 4 to 8 years.

2. The same actions, performed by a person with the use of his official position or in regard to a minor,

—are punishable by imprisonment for a term of from 7 to 15 years, with confiscation of property or without such.

3. Participation of a mercenary in an armed conflict or military actions,

—is punishable by imprisonment for a term of *from 3 to 7 years.*

Note. A mercenary is understood to be a person acting for purposes of receiving material remuneration and not being a citizen of the state participating in the armed conflict or military actions, not permanently residing on its territory, and likewise not being a person sent for fulfillment of official duties.

Article 360. Attack on persons or institution under international protection

Attack on a representative of a foreign state or associate of an international organization under international protection, and likewise on an official or residential building or transport means of persons under international protection, if this action is performed for purposes of provoking war or complicating international relations,

—is punishable by imprisonment for a term of from 3 to 8 years.

[Signed] President of the Russian Federation

B. Yeltsin

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